

CORRECTIONS

| Budget Summary | | | | | | | |
|----------------|------------------------------|---------------------|------------------------|------------------------|-------------------|---|---------------|
| Fund | 2002-03 Base Year Doubled | 2003-05 Governor | 2003-05 Jt. Finance | 2003-05 Legislature | 2003-05 Act 33 | Act 33 Change Over Base Year Doubled | |
| | | | | | | Amount | Percent |
| GPR | \$1,649,059,200 | \$1,728,363,400 | \$1,702,971,700 | \$1,702,971,700 | \$1,702,971,700 | \$53,912,500 | 3.3% |
| FED | 5,179,800 | 5,179,800 | \$5,179,800 | 5,179,800 | 5,179,800 | 0 | 0.0 |
| PR | 319,784,600 | 285,287,600 | 276,984,800 | 276,984,800 | 276,984,800 | - 42,799,800 | - 13.4 |
| SEG | <u>674,800</u> | <u>590,900</u> | <u>590,900</u> | <u>590,900</u> | <u>590,900</u> | <u>- 83,900</u> | <u>- 12.4</u> |
| TOTAL | \$1,974,698,400 | \$2,019,421,700 | \$1,985,727,200 | \$1,985,727,200 | \$1,985,727,200 | \$11,028,800 | 0.6% |

| FTE Position Summary | | | | | | |
|----------------------|--------------|---------------------|------------------------|------------------------|-------------------|------------------------------------|
| Fund | 2002-03 Base | 2004-05 Governor | 2004-05 Jt. Finance | 2004-05 Legislature | 2004-05 Act 33 | Act 33 Change Over 2002-03 Base |
| GPR | 8,784.06 | 8,916.23 | 9,311.67 | 9,311.67 | 9,311.67 | 527.61 |
| FED | 3.00 | 0.00 | 0.00 | 0.00 | 0.00 | - 3.00 |
| PR | 1,430.10 | 1,123.31 | 1,100.81 | 1,100.81 | 1,100.81 | - 329.29 |
| SEG | <u>3.00</u> | <u>2.00</u> | <u>2.00</u> | <u>2.00</u> | <u>2.00</u> | <u>- 1.00</u> |
| TOTAL | 10,220.16 | 10,041.54 | 10,414.48 | 10,414.48 | 10,414.48 | 194.32 |

Budget Change Items

Departmentwide

1. STANDARD BUDGET ADJUSTMENTS [LFB Paper 225]

| | Governor (Chg. to Base) | | Jt. Finance/Leg. (Chg. to Gov) | | Net Change | |
|---------|----------------------------|-------------|-----------------------------------|-------------|----------------|-------------|
| | Funding | Positions | Funding | Positions | Funding | Positions |
| GPR-REV | \$0 | | \$46,200 | | \$46,200 | |
| GPR | \$27,980,100 | - 60.28 | - \$4,110,100 | 0.00 | \$23,870,000 | - 60.28 |
| FED | 155,400 | - 1.00 | 0 | 0.00 | 155,400 | - 1.00 |
| PR | 3,999,700 | - 9.25 | - 437,600 | 0.00 | 3,562,100 | - 9.25 |
| SEG | <u>- 5,700</u> | <u>0.00</u> | <u>0</u> | <u>0.00</u> | <u>- 5,700</u> | <u>0.00</u> |
| TOTAL | \$32,129,500 | - 70.53 | - \$4,547,700 | 0.00 | \$27,581,800 | - 70.53 |

Governor: Provide \$16,506,000 and -57.03 positions in 2003-04 (\$14,336,700 GPR and -0.78 GPR positions, \$77,700 FED and -1.0 FED position, \$2,094,600 PR and -5.25 PR positions, and -\$3,000 SEG) and \$15,623,500 and -70.53 positions in 2004-05 (\$13,643,400 GPR and -60.28 GPR positions, \$77,700 FED and -1.0 FED position, \$1,905,100 PR and -9.25 PR positions, and -\$2,700 SEG) for the following adjustments to the base budget: (a) turnover reduction (-\$7,233,300 GPR and -\$1,085,800 PR annually); (b) removal of non-continuing items (-\$5,320,400 GPR and -50.78 GPR positions, -\$33,300 FED and -1.0 FED position, and -\$237,700 PR and -5.25 PR positions in 2003-04; and -\$6,017,200 GPR and -60.28 GPR positions, -\$33,300 FED and -1.0 FED position, and -\$472,900 PR and -9.25 PR positions in 2004-05); (c) full funding of salaries and fringe benefits (\$4,702,900 GPR, \$111,000 FED, -\$218,100 PR, and -\$21,800 SEG annually); (d) overtime costs (\$15,381,600 GPR, \$2,376,000 PR, and \$18,800 SEG in 2003-04 and \$15,381,600 GPR, \$2,421,100 PR, and \$19,100 SEG in 2004-05); (e) night and weekend pay differential (\$6,642,200 GPR and \$1,237,400 PR annually); and (f) fifth week of vacation as cash (\$163,700 GPR and \$22,800 PR in 2003-04, and \$167,200 GPR and \$23,400 PR in 2004-05). The 70.53 project positions removed as non-continuing elements include: (a) 57.08 two-year project positions associated with prison population management; (b) 2.2 four-year project positions provided for out-of-state contract beds; (c) 5.25 four-year project positions provided for alcohol and drug treatment funding; and (d) 6.0 other project positions which expire during the 2003-05 biennium including, 1.0 administrative policy advisor, 1.0 program specialist, 1.5 teachers, 1.5 teacher assistants, and 1.0 industries specialist. Base funding for overtime costs (\$13,661,200 GPR, \$2,271,000 PR, and \$24,600 SEG) is removed in the calculation of full funding of salaries and fringe benefits. The overtime funding amount represents the Department's total estimated overtime costs for the 2003-05 biennium.

Joint Finance/Legislature: Reduce funding by \$1,889,600 GPR and \$195,700 PR annually, as follows: (a) delete \$1,881,700 GPR and \$195,800 PR annually associated with turnover reduction adjustments; (b) delete \$10,700 GPR and \$1,300 PR annually associated with adjustments to full funding and fringe benefits; and (c) provide \$2,800 GPR and \$1,400 PR annually associated with adjustments to overtime costs. In addition, delete funding for fifth week of vacation as cash (\$163,700 GPR and \$22,800 PR in 2003-04 and \$167,200 GPR and \$23,400 PR in 2004-05). Require Corrections to lapse to the general fund \$22,800 in 2003-04 and \$23,400 in 2004-05 from those PR accounts or funds from which these fifth week of vacation as cash payments had been budgeted. Estimate GPR-REV of \$22,800 in 2003-04 and \$23,400 in 2004-05.

[Act 33 Section: 9160(3f)]

2. BASE BUDGET REDUCTIONS [LFB Paper 226]

| | Governor (Chg. to Base) | | Jt. Finance/Leg. (Chg. to Gov) | | Net Change | |
|-------|------------------------------------|------------------|---|------------------|-------------------|------------------|
| | Funding | Positions | Funding | Positions | Funding | Positions |
| GPR | -\$19,332,000 | -164.98 | \$0 | 0.50 | -\$19,332,000 | -164.48 |
| FED | -155,400 | -2.00 | 0 | 0.00 | -155,400 | -2.00 |
| PR | <u>-3,612,400</u> | <u>-30.00</u> | <u>174,400</u> | <u>-0.50</u> | <u>-3,438,000</u> | <u>-30.50</u> |
| Total | -\$23,099,800 | -196.98 | \$174,400 | 0.00 | -\$22,925,400 | -196.98 |

Governor: Delete \$11,549,900 and 196.98 annually (-\$9,666,000 GPR and -164.98 GPR positions annually, -\$77,700 FED and -2.0 FED positions annually, -\$1,806,200 PR and -30.0 PR positions annually) in Corrections' state operations appropriations, as indicated in the table below. The reductions represent a 1.6% reduction to the Department's GPR state operations budget, less debt service, and fuel and utilities (\$620,535,200 GPR); 1.3% of PR state operations (\$141,124,100 PR); and 3.0% of FED state operations (\$2,589,900 FED).

Joint Finance/Legislature: Modify provision to delete \$11,462,700 and 196.98 positions annually (-\$9,666,000 GPR and -164.48 GPR positions annually, -\$1,719,000 PR and -30.5 PR positions annually, and -\$77,700 FED and -2.0 FED positions annually) in Corrections' state operations appropriations. In addition, reduce the number of authorized division administrator positions in the Department of Corrections from five to four. The following table shows the reduction under SB 44 and modifications made by the Joint Committee on Finance.

| | <u>Governor</u> | | <u>Joint Finance/Leg.</u> | | <u>Change to Governor</u> | | |
|---|-----------------|------------------|---------------------------|------------------|---------------------------|------------------|---------------|
| | <u>Funding</u> | <u>Positions</u> | <u>Funding</u> | <u>Positions</u> | <u>Funding</u> | <u>Positions</u> | <u>Source</u> |
| Division of Management Services | | | | | | | |
| Central Office | -\$280,200 | -3.00 | -\$275,700 | -3.00 | \$4,500 | 0.00 | GPR |
| Bureau of Finance & Administrative Services | -671,100 | -11.10 | -619,500 | -10.50 | 51,600 | 0.60 | GPR |
| | -37,800 | -1.00 | -37,800 | -1.00 | 0 | 0.00 | PR |
| Bureau of Personnel & Human Resources | -537,000 | -11.25 | -455,100 | -10.25 | 81,900 | 1.00 | GPR |
| Training Centers | -335,700 | -5.00 | -252,100 | -4.00 | 83,600 | 1.00 | GPR |
| | -94,600 | -2.00 | -209,500 | -4.00 | -114,900 | -2.00 | PR |
| Bureau of Technology Management | -2,281,800 | -35.00 | -2,225,900 | -34.00 | 55,900 | 1.00 | GPR |
| Bureau of Budget & Facilities Management | -555,700 | -7.50 | -551,400 | -7.50 | 4,300 | 0.00 | GPR |
| | -53,200 | -0.50 | -53,200 | -0.50 | 0 | 0.00 | PR |
| Office of Procurement Services | -211,200 | -4.00 | -173,600 | -3.00 | 37,600 | 1.00 | GPR |
| | -292,300 | -5.00 | -235,500 | -4.00 | 56,800 | 1.00 | PR |
| Division of Adult Institutions | | | | | | | |
| Central Office | -1,546,700 | -27.00 | -384,300 | -6.00 | 1,162,400 | 21.00 | GPR |
| Bureau of Classification & Movement | -224,500 | -4.00 | -462,900 | -9.00 | -238,400 | -5.00 | GPR |
| Badger State Industries | -117,200 | -2.00 | -115,500 | -3.00 | 1,700 | -1.00 | PR |
| Waupun Correctional Institution | -42,900 | -1.00 | -122,500 | -2.00 | -79,600 | -1.00 | GPR |
| Green Bay Correctional Institution | 0 | 0.00 | -221,500 | -3.00 | -221,500 | -3.00 | GPR |
| Fox Lake Correctional Institution | 0 | 0.00 | -74,700 | -1.00 | -74,700 | -1.00 | GPR |
| Columbia Correctional Institution | -42,900 | -1.00 | 0 | 0.00 | 42,900 | 1.00 | GPR |
| Kettle Moraine Correctional Institution | 0 | 0.00 | -55,300 | -1.00 | -55,300 | -1.00 | GPR |
| Dodge Correctional Institution | 0 | 0.00 | -109,400 | -1.75 | -109,400 | -1.75 | GPR |
| Racine Correctional Institution | 0 | 0.00 | -16,900 | -0.50 | -16,900 | -0.50 | GPR |

| | <u>Governor</u> | | <u>Joint Finance/Leg.</u> | | <u>Change to Governor</u> | | <u>Source</u> |
|--|-----------------|------------------|---------------------------|------------------|---------------------------|------------------|---------------|
| | <u>Funding</u> | <u>Positions</u> | <u>Funding</u> | <u>Positions</u> | <u>Funding</u> | <u>Positions</u> | |
| Oshkosh Correctional Institution | -\$32,000 | -1.00 | -\$83,400 | -1.00 | -\$51,400 | 0.00 | GPR |
| Redgranite Correctional Institution | -42,800 | -1.00 | 0 | 0.00 | 42,800 | 1.00 | GPR |
| Wisconsin Correctional Center System | -319,400 | -6.00 | -419,800 | -9.00 | -100,400 | -3.00 | GPR |
| | 0 | 0.00 | -71,400 | 0.00 | -71,400 | 0.00 | PR |
| Highview Geriatric Correctional Institution | 0 | 0.00 | -44,700 | -1.00 | -44,700 | -1.00 | GPR |
| Milwaukee Secure Detention Facility | -200,100 | -6.00 | -195,800 | -7.00 | 4,300 | -1.00 | GPR |
| Prairie du Chien Correctional Institution | -65,300 | -1.00 | -41,800 | -1.00 | 23,500 | 0.00 | GPR |
| Stanley Correctional Institution | 0 | 0.00 | -48,200 | -1.50 | -48,200 | -1.50 | GPR |
| Division of Correctional Programs | | | | | | | |
| Central Office | -491,100 | -6.50 | -403,600 | -5.50 | 87,500 | 1.00 | GPR |
| Bureau of Health Services | -85,800 | -2.63 | -91,900 | -2.63 | -6,100 | 0.00 | GPR |
| Bureau of Offender Programs | -604,500 | -11.00 | -800,600 | -14.00 | -196,100 | -3.00 | GPR |
| Office of Education | -194,000 | -3.00 | -178,400 | -3.00 | 15,600 | 0.00 | GPR |
| | -77,700 | -2.00 | -77,700 | -2.00 | 0 | 0.00 | FED |
| | -61,300 | -1.00 | -49,600 | -1.00 | 11,700 | 0.00 | PR |
| Division of Community Corrections | | | | | | | |
| Central Office | -553,400 | -10.00 | -504,000 | -8.00 | 49,400 | 2.00 | GPR |
| Probation, Parole, and Extended Supervision | -150,400 | -3.00 | -180,100 | -4.00 | -29,700 | -1.00 | GPR |
| Monitoring Center | -36,200 | -1.00 | -35,400 | -1.00 | 800 | 0.00 | GPR |
| | -81,400 | -2.00 | -39,800 | -1.00 | 41,600 | 1.00 | PR |
| Secretary's Office | -69,700 | -1.50 | -95,300 | -2.35 | -25,600 | -0.85 | GPR |
| Parole Commission | 0 | 0.00 | -145,900 | -4.50 | -145,900 | -4.50 | GPR |
| Division of Management Services--Juvenile | | | | | | | |
| Bureau of Finance & Administrative Services | -31,800 | -0.50 | -30,600 | -0.50 | 1,200 | 0.00 | PR |
| Training Centers | -64,300 | -1.00 | -62,900 | -1.00 | 1,400 | 0.00 | PR |
| Division of Correctional Programs--Juvenile | | | | | | | |
| Office of Education | -17,000 | -0.50 | -17,100 | -0.50 | -100 | 0.00 | PR |
| Division of Juvenile Corrections | | | | | | | |
| Central Office | 0 | 0.00 | -139,300 | -2.50 | -139,300 | -2.50 | GPR |
| | -897,400 | -13.50 | -778,500 | -13.50 | 118,900 | 0.00 | PR |
| Juvenile Field Programs Central Office | -91,600 | -1.50 | 0 | 0.00 | 91,600 | 1.50 | GPR |
| Southern Oaks Girls School | 0 | 0.00 | -17,600 | -0.50 | -17,600 | -0.50 | PR |
| Lincoln Hills School | -57,900 | -1.00 | 0 | 0.00 | 57,900 | 1.00 | PR |
| Additional Funding Reduction | <u>0</u> | <u>0.00</u> | <u>-257,000</u> | <u>0.00</u> | <u>-257,000</u> | <u>0.00</u> | GPR |
| Total | -\$11,549,900 | -196.98 | -\$11,462,700 | -196.98 | \$87,200 | 0.00 | |
| | -9,666,000 | -164.98 | -9,666,000 | -164.48 | 0 | 0.50 | GPR |
| | -1,806,200 | -30.00 | -1,719,000 | -30.50 | 87,200 | -0.50 | PR |
| | -77,700 | -2.00 | -77,700 | -2.00 | 0 | 0.00 | FED |

[Act 33 Section: 2394m]

3. CONSOLIDATION OF STATE AGENCY ATTORNEYS UNDER DOA [LFB Paper 105]

| | Governor (Chg. to Base) | | Jt. Finance/Leg. (Chg. to Gov) | | Net Change | |
|-----|------------------------------------|------------------|---|------------------|-------------------|------------------|
| | Funding | Positions | Funding | Positions | Funding | Positions |
| GPR | -\$305,100 | - 6.80 | \$305,100 | 6.80 | \$0 | 0.00 |

Governor: Delete \$130,800 in 2003-04 and \$174,300 in 2004-05 and 6.8 positions annually to reflect the consolidation of executive branch attorneys under DOA, effective the later of October 1, 2003, or the first day of the third month beginning after the bill is enacted. Reallocate \$423,100 in 2003-04 and \$564,200 in 2004-05 of remaining base level salary and fringe benefits funding that currently supports 4.8 attorney positions to Corrections' supplies and services budget to pay for legal services supplied by DOA. Corrections' chief counsel position would not be subject to transfer to DOA under the Governor's recommendation.

Joint Finance/Legislature: Delete provision. Direct the Secretary of DOA to delete 31.0 FTE executive branch agency attorney positions, other than attorney positions at the University of Wisconsin System, that are vacant on January 2, 2004, and lapse the associated budgeted non-FED salary and fringe benefits amounts to the general fund in 2003-04 and 2004-05. If fewer than 31.0 FTE agency attorney positions are vacant on January 2, 2004, authorize the Secretary of DOA to delete sufficient additional state agency attorney positions, other than at the University of Wisconsin System, to ensure the elimination of a total of 31.0 FTE state agency attorney positions. The additional fiscal effect of this position deletion requirement is reflected under "Administration -- Transfers to the Department."

Veto by Governor [D-2]: Delete all references to the word "attorney", so that the Secretary of DOA must eliminate 31.0 positions that are vacant as of January 2, 2004. Delete the exemption of the University of Wisconsin System, so that the only executive branch agencies that would be exempted from the position reductions are the Department of Employee Trust Funds and the Investment Board.

[Act 33 Section: 9101(9x)]

[Act 33 Vetoed Section: 9101(9x)]

4. BASE BUDGET REDUCTION -- COMPUTER RECYCLING PROGRAM

| | Funding Positions | |
|-----|--------------------------|--------|
| SEG | -\$78,200 | - 1.00 |

Governor/Legislature: Delete \$39,100 annually and 1.0 position from Corrections' computer recycling program funded from the recycling fund. Base SEG funding for the program is \$337,400 and 3.0 positions. Corrections administers a computer recycling program under which inmates salvage, repair, and upgrade donated computers. The program is designed to reduce the number of computers deposited in landfills and to provide computers to state agencies and non-profit organizations at a low cost. Under the program,

inmates clean, reformat, and match components for recycling and remanufacturing, test electronic equipment for operating condition, and demanufacture any unsalvageable equipment for parts recycling or proper disposal.

5. RENT

| | |
|-------|-------------|
| GPR | \$4,783,400 |
| PR | - 47,600 |
| Total | \$4,735,800 |

Governor/Legislature: Provide \$2,249,700 (\$2,291,700 GPR and -\$42,000 PR) in 2003-04 and \$2,486,100 (\$2,491,700 GPR and -\$5,600 PR) in 2004-05 for rent costs on a departmentwide basis. Funding would be divided as follows: (a) Division of Management Services, \$1,946,400 GPR and \$15,600 PR in 2003-04 and \$2,078,800 GPR and \$25,200 PR in 2004-05; (b) Division of Adult Institutions, \$53,800 GPR and -\$74,900 PR in 2003-04 and \$63,600 GPR and -\$65,100 PR in 2004-05; (c) Division of Community Corrections, \$296,400 GPR and \$2,500 PR in 2003-04 and \$351,600 GPR and \$3,100 PR in 2004-05; (d) Division of Correctional Programs, \$10,100 annually; (e) Secretary's Office, \$400 GPR annually; (f) Division of Juvenile Corrections, \$10,600 GPR and \$14,800 PR in 2003-04 and \$12,200 GPR and \$31,200 PR in 2004-05; and (g) Parole Commission, -\$26,000 GPR in 2003-04 and -\$25,000 GPR in 2004-05. Base funding for rent is \$9,474,200 (\$3,851,200 GPR and \$5,623,000 PR). Under the bill, total funding for rent would be \$11,723,900 (\$6,142,900 GPR and \$5,581,000 PR) in 2003-04 and \$11,960,300 (\$6,342,900 GPR and \$5,617,400 PR) in 2004-05. Of the total rent costs, \$5,131,800 (\$4,519,700 GPR and \$612,100 PR) in 2003-04 and \$5,290,300 (\$4,662,600 GPR and \$627,700 PR) in 2004-05 are associated with lease costs for the Corrections headquarters building. The duration of the lease is from July 1, 2002, to June 30, 2011.

6. DEBT SERVICE REESTIMATES [LFB Paper 195]

| | Governor (Chg. to Base) | Jt. Finance/Leg. (Chg. to Gov) | Net Change |
|-------|----------------------------|-----------------------------------|--------------|
| GPR | -\$3,394,300 | -\$700,900 | -\$4,095,200 |
| PR | - 348,400 | 0 | - 348,400 |
| Total | -\$3,742,700 | -\$700,900 | -\$4,443,600 |

Governor: Provide \$119,700 GPR and -\$297,900 PR in 2003-04 and -\$3,514,000 GPR and -\$50,500 PR in 2004-05 to reflect a reestimate of debt service costs in the Department of Corrections. The reestimates include: (a) adult corrections, -\$85,700 GPR in 2003-04 and -\$3,616,300 GPR in 2004-05; (b) juvenile corrections, \$205,400 GPR in 2003-04 and \$102,300 GPR in 2004-05; and (c) Badger State Industries, -\$297,900 PR in 2003-04 and -\$50,500 PR in 2004-05. In total, debt service costs for Corrections would be: (a) adult corrections, \$71,027,900 GPR in 2003-04 and \$67,497,300 GPR in 2004-05; (b) juvenile corrections, \$4,600,000 GPR in 2003-04 and \$4,496,900 GPR in 2004-05; and (c) Badger State Industries, \$270,000 PR in 2003-04 and \$517,400 PR in 2004-05.

Joint Finance/Legislature: Delete \$465,600 GPR in 2003-04 and \$235,300 GPR in 2004-05 to reestimate debt service costs associated with adult and juvenile correctional institutions. Funding would be reestimated as follows: (a) - \$507,200 GPR in 2003-04 and - \$3,831,700 GPR in

2004-05 for adult correctional institutions; and (b) \$161,300 GPR in 2003-04 and \$82,400 GPR in 2004-05 for juvenile correctional institutions. In total, reestimated debt service costs for Corrections would be: (a) adult corrections, \$70,606,400 GPR in 2003-04 and \$67,281,900 GPR in 2004-05; and (b) juvenile corrections, \$4,555,900 GPR in 2003-04 and \$4,477,000 GPR in 2004-05.

7. FUEL AND UTILITY REESTIMATES [LFB Paper 227]

| | |
|-----|-------------|
| GPR | \$2,124,700 |
|-----|-------------|

Governor/Legislature: Provide \$970,600 in 2003-04 and \$1,154,100 in 2004-05 for estimated fuel and utility costs for the Division of Adult Institutions. Base funding for fuel and utilities is \$12,497,600.

8. INFORMATION TECHNOLOGY SYSTEMS AND EQUIPMENT

| | |
|-----|-------------|
| GPR | \$5,530,600 |
|-----|-------------|

Governor/Legislature: Provide \$1,930,600 in 2003-04 and \$3,600,000 in 2004-05 for information technology systems and equipment as follows:

a. Information Technology Master Lease Repayment. \$1,324,300 in 2003-04 and \$2,993,700 in 2004-05 to fund the master lease costs associated with the continued development of the web-based Integrated Corrections System (ICS). Base funding for the master lease repayment is \$760,500 annually. Total funding would be \$2,084,800 in 2003-04 and \$3,754,200 in 2004-05. The ICS is designed to serve as a single correctional database that includes arrest and conviction data, medical and other treatment records; and location and status information of each offender. The system is intended to provide information for Corrections staff, law enforcement and the general public.

b. Funding of Data Communications Lines. \$606,300 annually to fully fund costs of existing T-1 data communications lines.

9. PROGRAM REVENUE REESTIMATES [LFB Paper 228]

| | Governor (Chg. to Base) | Jt. Finance/Leg. (Chg. to Gov) | Net Change |
|----|----------------------------|-----------------------------------|-------------|
| PR | \$2,545,600 | - \$359,300 | \$2,186,300 |

Governor: Provide \$1,080,200 in 2003-04 and \$1,465,400 in 2004-05 associated with the following program revenue appropriation reestimates: (a) -\$132,100 in 2003-04 and -\$139,100 in 2004-05 for home detention costs provided to counties based on estimated usage; (b) \$312,500 in 2003-04 and \$336,900 in 2004-05 for operations and maintenance costs from fees paid by employees of the Department or vendors, including employee parking costs; (c) -\$96,200 in 2003-04 and -\$97,100 in 2004-05 for operations and charges in the Division of Community Corrections; (d) \$259,300 in 2003-04 and \$317,400 in 2004-05 for inmate telephone company commissions at new or expanded correctional facilities; (e) \$644,300 in 2003-04 and \$954,900 in

2004-05 for increased inmate room and board collections in the Division of Adult Institutions; (f) \$90,000 annually for with sex offender honesty and testing costs; and (g) \$2,400 annually for Division of Juvenile Correction's gifts and grants appropriation.

Joint Finance/Legislature: Reestimate program revenue expenditures as follows: (a) inmate telephone commission revenues, \$221,400 in 2003-04 and \$234,100 in 2004-05 (-\$37,900 in 2003-04 and -\$83,300 in 2004-05); and (b) room and board collections, \$570,000 in 2003-04 and \$791,100 in 2004-05 (-\$74,300 in 2003-04 and -\$163,800 in 2003-04).

10. BASE LEVEL FUNDING AND POSITIONS REALLOCATIONS

Governor/Legislature: Reallocate base level funding and positions between and within appropriations in the Department to reflect the following organizational changes: (a) from the Division of Community Corrections (DCC), transfer responsibility of the Wisconsin Correctional Center System and Milwaukee Secure Detention Facility to the Division of Adult Institutions (DAI); (b) from the Division of Correctional Programs (DCP), transfer the Bureau of Classification and Movement and the Contract Monitoring Unit to DAI; (c) from DCP, transfer the community corrections monitoring center to DCC; (d) transfer the Bureau of Health Services and Office of Education from DAI to DCP; (e) from the Division of Management Services (DMS), transfer the Cashier's Unit and Central Records Unit to DCC's central office; (f) from DMS, transfer Employee Health and Wellness to DCP; and (g) consolidate the business office for DCP into one bureau under DCP.

While funding and position totals by funding source and fiscal year do not change, the following changes occur by appropriation: (a) general program operations, adult corrections, \$54,805,200 GPR and 942.98 GPR positions annually; (b) services for community corrections, -\$54,909,800 GPR and -943.98 GPR positions annually; (c) general program operations, juvenile corrections, \$104,600 GPR and 1.0 GPR position annually; (d) juvenile correctional services, -\$40,400 PR and -0.68 PR position annually; (e) juvenile aftercare, \$20,300 PR and 0.34 PR position annually; (f) juvenile corrective sanctions program, \$20,100 PR and 0.34 PR position annually; (g) correctional institution enterprises, inmate activities and employment, -1.0 PR position annually; and (h) prison industries, 1.0 PR position annually.

Adult Corrections

1. ADULT CORRECTIONAL FACILITY POPULATIONS [LFB Paper 235]

Governor: Estimate an average daily population in adult correctional facilities (correctional institutions and centers) and contract beds of 22,105 in 2003-04 and 22,031 in 2004-05. The following table identifies the distribution of this population.

| | March 7, 2003 <u>Actual Population</u> | <u>Average Daily Population</u> | |
|----------------------------|---|---------------------------------|----------------|
| | | <u>2003-04</u> | <u>2004-05</u> |
| Institutions | 15,973 | 17,208 | 17,208 |
| Centers | 2,070 | 2,260 | 2,433 |
| Contract Beds ¹ | <u>3,505</u> | <u>2,637</u> | <u>2,390</u> |
| Total | 21,548 | 22,105 | 22,031 |

¹Contract beds in 2003-05 include 25 inmates held in federal facilities.

Joint Finance/Legislature: Reestimate an average daily population in adult correctional facilities (correctional institutions and centers) and contract beds of 21,928 in 2003-04 and 22,415 in 2004-05. In addition, decrease the reestimated average daily population for 2004-05 by 433 to account for the following population reduction provisions in the bill: (a) creation of the Black River Correctional Center boot camp; (b) creation of the Drug Abuse Correctional Center earned release program; (c) expanded use of alternatives to revocation (ATR), including designating 50 beds at Highview Correctional Institution for ATRs; and (d) creation of a pilot program for non-violent offenders. The following table identifies the distribution of this population.

| | <u>Average Daily Population</u> | |
|----------------------------|---------------------------------|----------------|
| | <u>2003-04</u> | <u>2004-05</u> |
| Institutions | 17,513 | 18,757 |
| Centers | 2,301 | 2,469 |
| Contract Beds ¹ | <u>2,114</u> | <u>756</u> |
| Total | 21,928 | 21,982 |

¹Contract beds in 2003-05 include 25 inmates held in federal facilities.

2. POPULATION AND INFLATIONARY COST INCREASES [LFB Paper 236]

| | Governor (Chg. to Base) | Jt. Finance/Leg. (Chg. to Gov) | Net Change |
|-----|----------------------------|-----------------------------------|--------------|
| GPR | \$38,205,400 | - \$6,485,300 | \$31,720,100 |

Governor: Provide \$17,532,300 in 2003-04 and \$20,673,100 in 2004-05 to reflect population-related cost adjustments for prisoners in facilities operated by the Division of Adult Institutions as follows: (a) \$471,500 in 2003-04 and \$1,101,500 in 2004-05 for food costs; (b) \$1,933,200 in 2003-04 and \$1,966,600 in 2004-05 for variable non-food costs, such as clothing, laundry, inmate wages, and other supplies; and (c) \$15,127,600 in 2003-04 and \$17,605,000 in 2004-05 for inmate health care. Inmate health care costs include costs associated with pharmaceutical costs, the University of Wisconsin healthcare contract, and hospital service contracts. Base level funding for inmate health care costs is \$29,978,700. Funding for inmate-related costs associated with the opening of new facilities is included with each institution. In

2003 Act 1, \$7,269,800 was provided in 2002-03 for inmate health care. Total funding for inmate health care in 2002-03 is \$37,822,100.

Joint Finance/Legislature: Delete \$3,110,900 in 2003-04 and \$3,374,400 in 2004-05 associated with inmate food and health costs, as follows: (a) -\$45,600 in 2003-04 and -\$183,700 in 2004-05 associated with food costs; and (b) -\$3,065,300 in 2003-04 and -\$3,190,700 in 2004-05 associated with inmate health care. Total funding for food would be \$25,430,300 in 2003-04 and \$25,922,200 in 2004-05; and funding for inmate health care would be \$42,041,000 in 2003-04 and \$44,393,000 in 2004-05.

3. PRISON CONTRACT BED FUNDING [LFB Paper 235]

| | Governor (Chg. to Base) | Jt. Finance/Leg. (Chg. to Gov) | Net Change |
|-----|----------------------------|-----------------------------------|--------------|
| GPR | \$18,947,400 | - \$8,275,400 | \$10,672,000 |

Governor: Provide \$3,719,600 in 2003-04 and \$15,227,800 in 2004-05 related to in-state and out-of-state prison contract beds. Funding would be divided as follows: (a) \$3,240,500 in 2003-04 and \$14,748,700 in 2004-05 for contract beds; (b) \$191,100 annually associated with staff and inmate transportation expenses; and (c) \$288,000 annually in increased purchase of services funding for an alternative to revocation of community supervision program for contract beds in the Rock County jail which was previously funded from the contract bed appropriation.

Base funding for contract beds is \$60,102,700. Total funding for contract beds would be \$63,534,300 in 2003-04 and \$75,042,500 in 2004-05. This funding would support 3,150 contract beds in 2003-04 (2,824 out-of-state and 326 in-state) and 3,680 contract beds in 2004-05 (3,354 out-of-state and 326 in-state). The contract beds appropriation also funds the costs of youthful adult offenders held in juvenile correctional facilities (14 offenders annually), and temporary lockup of correctional center system inmates in both years of the biennium.

Under the bill, funding for contract beds is reduced by other provisions, indicated in the following table.

| | <u>2003-04</u> | | <u>2004-05</u> | |
|----------------------------------|------------------|-------------|--------------------|-------------|
| | <u>Amount</u> | <u>Beds</u> | <u>Amount</u> | <u>Beds</u> |
| Base Funding | \$60,102,700 | | \$60,102,700 | |
| Prison Contract Bed Funding | <u>3,431,600</u> | | <u>14,939,800</u> | |
| Total | \$63,534,300 | 3,150 | \$75,042,500 | 3,680 |
| <u>Funding Reductions</u> | | | | |
| Conversion of Prairie du Chien | | | | |
| Facility to Adult Prison | -\$10,920,700 | -326 | -\$11,215,600 | -326 |
| Inmate Workhouses Staffing | -2,926,400 | -162 | -5,556,600 | -300 |
| Black River Correctional Center | | | | |
| Boot Camp Program | 0 | 0 | -1,828,100 | -99 |
| Population Management | <u>0</u> | <u>0</u> | <u>-10,000,000</u> | <u>-540</u> |
| Total | \$49,687,200 | 2,662 | \$46,442,200 | 2,415 |

As of March 7, 2003, Corrections was authorized to contract for 4,833 out-of-state prison contract beds, and had 2,969 inmates out-of-state. In addition, the Department had 196 inmates in Wisconsin county jails, 25 inmates in federal facilities, and 315 inmates at the Prairie du Chien Juvenile Correctional Facility. In 2003 Act 1, \$9,247,800 was provided for prison contract bed funding. Total funding for contract beds in 2002-03 is \$69,350,500.

Joint Finance/Legislature: Delete \$3,416,500 in 2003-04 and \$4,858,900 in 2004-05 related to in-state and out-of-state prison contract beds as a result of reestimated populations. Total funding for contract beds would be \$60,070,600 in 2003-04 and \$70,052,900 in 2004-05. Funding would support 2,983 contract beds in 2003-04 and 3,440 contract beds in 2004-05. However, additional reductions in contract beds are made by other provisions in the bill as shown in the table below.

| | <u>2003-04</u> | | <u>2004-05</u> | |
|---|--------------------|--------------|--------------------|-------------|
| | <u>Amount</u> | <u>Beds</u> | <u>Amount</u> | <u>Beds</u> |
| Base Funding | \$60,102,700 | | \$60,102,700 | |
| Prison Contract Bed Funding - Governor* | 3,384,400 | 3,150 | 14,809,100 | 3,680 |
| Prison Contract Bed Funding - JFC | <u>- 3,416,500</u> | <u>- 167</u> | <u>- 4,858,900</u> | <u>-240</u> |
| Total | \$60,070,600 | 2,983 | \$70,052,900 | 3,440 |
| <u>Funding Adjustments</u> | | | | |
| Conversion of Prairie du Chien | | | | |
| Facility to Adult Prison - Governor* | - \$10,873,400 | -326 | - \$11,084,900 | -326 |
| Inmate Workhouses | - 2,926,400 | -162 | - 5,556,600 | -300 |
| Highview | - 1,689,300 | - 94 | - 9,285,100 | - 501 |
| New Lisbon | - 1,022,800 | - 57 | - 16,973,700 | - 916 |
| Black River Correctional Center | | | | |
| Boot Camp Program | 0 | 0 | -1,828,100 | -99 |
| Population Management | - 4,567,200 | - 255 | - 10,002,700 | - 540 |
| Non-Violent Offender Community | | | | |
| Reintegration Pilot Program | <u>0</u> | <u>0</u> | <u>- 500,500</u> | <u>-27</u> |
| Total | \$38,991,500 | 2,089 | \$14,821,300 | 731 |

*Modified by \$47,300 in 2003-04 and \$130,700 in 2004-05 subsequent to introduction of the bill.

4. CONVERSION OF PRAIRIE DU CHIEN CORRECTIONAL FACILITY TO AN ADULT PRISON [LFB Paper 237]

| | Governor (Chg. to Base) | | Jt. Finance/Leg. (Chg. to Gov) | | Net Change | |
|-------|------------------------------------|------------------|---|------------------|--------------------|------------------|
| | Funding | Positions | Funding | Positions | Funding | Positions |
| GPR | -\$1,536,700 | 164.50 | -\$178,000 | 0.00 | -\$1,714,700 | 164.50 |
| PR | <u>-20,599,600</u> | <u>-164.50</u> | <u>178,000</u> | <u>0.00</u> | <u>-20,421,600</u> | <u>-164.50</u> |
| Total | -\$22,136,300 | 0.00 | \$0 | 0.00 | -\$22,136,300 | 0.00 |

Governor: Provide -\$691,400 GPR and 164.50 GPR positions and -\$10,229,300 PR and -164.50 PR positions in 2003-04 and -\$845,300 GPR and 164.50 GPR positions and -\$10,370,300 PR and -164.50 PR positions in 2004-05 to convert the Prairie du Chien Correctional Institution from a juvenile correctional institution to an adult prison. Prairie du Chien has been operating as an adult contract facility since it opened on July 1, 1997. Expenditures for the facility are paid through the juvenile correctional services PR appropriation, and then reimbursed through Corrections' GPR appropriation for contracts beds. The bill would modify statutory language to allow the facility to become an adult prison by deleting the specification that Prairie du Chien's expenditures be paid through the juvenile correctional services appropriation. Funding and position changes are shown in the following chart.

| Division | 2003-04 | | | | 2004-05 | | | |
|-----------------------|------------------------|-------------------------|------------------------|-------------------------|------------------------|-------------------------|------------------------|-------------------------|
| | GPR Funding | PR Positions | GPR Funding | PR Positions | GPR Funding | PR Positions | GPR Funding | PR Positions |
| Adult Institutions | | | | | | | | |
| Contract Beds | -\$10,920,700 | 0.00 | \$0 | 0.00 | -\$11,215,600 | 0.00 | \$0 | 0.00 |
| Operational Costs | 10,229,300 | 164.50 | 0 | 0.00 | 10,370,300 | 164.50 | 0 | 0.00 |
| Juvenile Institutions | | | | | | | | |
| Operational Costs | <u>0</u> | <u>0.00</u> | <u>-10,229,300</u> | <u>-164.50</u> | <u>0</u> | <u>0.00</u> | <u>-10,370,300</u> | <u>-164.50</u> |
| Total | -\$691,400 | 164.50 | -\$10,229,300 | -164.50 | -\$845,300 | 164.50 | -\$10,370,300 | -164.50 |

Under 1995 Act 27, the Prairie du Chien Correctional Facility was designed as a juvenile correctional facility. In 1997 Act 4, Corrections was authorized to utilize Prairie du Chien as a facility for young adult prisoners from July 1, 1997, until July 1, 1998. In 1997 Act 27, the authority to operate the facility as an adult prison was extended until July 1, 1999. Also, 1997 Act 27 specified that inmates at the facility could not be more than 21 years of age and must be nonviolent offenders, as determined by the Department of Corrections. In 1999 Act 9, the authority to use the prison for nonviolent, youthful adult offenders was again extended until July 1, 2001. This period was extended again under 2001 Act 16 to July 1, 2003.

Joint Finance/Legislature: Reduce GPR operating costs at the Prairie du Chien Correctional Institution by \$47,300 GPR in 2003-04 and \$130,700 GPR in 2004-05, and provide

\$47,300 PR in 2003-04 and \$130,700 PR in 2004-05 associated with an estimate of the amount of PR reductions that would occur as a result of converting Prairie du Chien to GPR funding.

The following table identifies the fiscal effect under SB 44 and the modifications to the bill.

| Prairie du Chien Correctional Institution | | | | | | |
|--|--------------------|--------------------|----------------------|--------------------|------------------------|-----------------|
| | <u>SB 44</u> | | <u>Joint Finance</u> | | <u>Change to SB 44</u> | |
| | <u>2003-04</u> | <u>2004-05</u> | <u>2003-04</u> | <u>2004-05</u> | <u>2003-04</u> | <u>2004-05</u> |
| GPR Funding | | | | | | |
| Contract Bed Funding | | | | | | |
| Base Funding | \$10,038,900 | \$10,038,900 | \$10,038,900 | \$10,038,900 | \$0 | \$0 |
| Contract Bed Funding Increase | <u>881,800</u> | <u>1,176,700</u> | <u>834,500</u> | <u>1,046,000</u> | <u>-47,300</u> | <u>-130,700</u> |
| Total Prairie du Chien | | | | | | |
| Contract Bed Funding | \$10,920,700 | \$11,215,600 | \$10,873,400 | \$11,084,900 | -\$47,300 | -\$130,700 |
| Prairie du Chien Conversion | | | | | | |
| Institutional Operating | | | | | | |
| Costs--GPR | \$10,229,300 | \$10,370,300 | \$10,182,000 | \$10,239,600 | -\$47,300 | -\$130,700 |
| Contract Bed Reduction | <u>-10,920,700</u> | <u>-11,215,600</u> | <u>-10,873,400</u> | <u>-11,084,900</u> | <u>47,300</u> | <u>130,700</u> |
| Total Prairie du Chien | | | | | | |
| Conversion Costs | -\$691,400 | -\$845,300 | -\$691,400 | -\$845,300 | \$0 | \$0 |
| Net Change to Base GPR | \$190,400 | \$331,400 | \$143,100 | \$200,700 | -\$47,300 | -\$130,700 |
| Program Revenue Funding | | | | | | |
| Base Operating Costs--PR | \$9,622,100 | \$9,622,100 | \$9,622,100 | \$9,622,100 | \$0 | \$0 |
| Institutional Operating | | | | | | |
| Costs--PR | <u>-10,229,300</u> | <u>-10,370,300</u> | <u>-10,182,000</u> | <u>-10,239,600</u> | <u>47,300</u> | <u>130,700</u> |
| Net Change to Base PR | -\$607,200 | -\$748,200 | -\$559,900 | -\$617,500 | \$47,300 | \$130,700 |

[Act 33 Sections: 441d, 2501, 2806 thru 2808, and 2810]

5. FUNDING AND STAFFING ASSOCIATED WITH PRISON OPENINGS, EXPANSIONS AND DELAYED OPENINGS [LFB Papers 238, 239, and 241]

Governor: Provide funding and positions over the 2003-05 biennium associated with the operation of an additional 690 beds and the delayed openings of various facilities. The following table identifies the institution, the total number of additional beds and the total operational and staffing increases provided in the bill.

| <u>Institution</u> | <u>Additional Beds</u> | <u>2003-04 (All Funds)</u> | | <u>2004-05 (All Funds)</u> | |
|----------------------------------|----------------------------|----------------------------|------------------|----------------------------|------------------|
| | | <u>Operating Costs</u> | <u>Positions</u> | <u>Operating Costs</u> | <u>Positions</u> |
| Sturtevant P&P Hold ¹ | 150 | \$2,255,400 | 62.35 | \$4,189,800 | 62.35 |
| Inmate Workhouses ² | 300 | 4,688,700 | 59.00 | 5,085,600 | 59.00 |
| Redgranite ³ | 240 | 1,184,300 | 27.88 | 1,109,900 | 27.88 |
| Highview ⁴ | --- | 278,700 | 0.00 | 353,700 | 0.00 |
| New Lisbon ⁵ | --- | 264,600 | 0.00 | 264,600 | 0.00 |
| Oshkosh ⁶ | --- | <u>35,800</u> | <u>0.00</u> | <u>35,800</u> | <u>0.00</u> |
| Total | 690 | \$8,707,500 | 149.23 | \$11,039,400 | 149.23 |

¹ The Sturtevant probation and parole hold facility is scheduled to open in May, 2004. The additional 150 beds will not result in increased prison capacity.

² Operating costs are offset by a reduction in contract bed funding. The inmate workhouses would open in December, 2003.

³ Additional capacity is added through increased double occupancy of cells. Total capacity of the facility would increase to 990. As of March 7, 2003, the facility had a population of 926.

⁴ Total operating capacity of the facility is 300 beds. Opening is delayed until the 2005-07 biennium.

⁵ Total operating capacity of the facility is 750 beds. Opening is delayed until the 2005-07 biennium.

⁶ The additional 50 segregation beds will not result in increased prison capacity. Opening is delayed until the 2005-07 biennium.

Joint Finance/Legislature: Increase funding for staffing of prisons by a total of \$13,234,400 in 2003-04 and \$25,662,500 in 2004-05 and 453.64 positions annually. The following table identifies the institution, the total number of beds, and the total operational costs and staffing provided (contract bed funding reductions associated with opening the facilities are not included).

| <u>Institution</u> | <u>Additional Beds</u> | <u>2003-04 (All Funds)</u> | | <u>2004-05 (All Funds)</u> | |
|-------------------------|----------------------------|----------------------------|------------------|----------------------------|------------------|
| | | <u>Operating Costs</u> | <u>Positions</u> | <u>Operating Costs</u> | <u>Positions</u> |
| Sturtevant P&P Hold | 150 | \$2,198,600 | 61.43 | \$4,052,800 | 61.43 |
| Inmate Workhouses | 300 | 4,592,900 | 58.68 | 4,887,900 | 58.68 |
| Redgranite | 240 | 1,019,200 | 23.50 | 941,000 | 23.50 |
| Highview ¹ | 450 | 6,127,200 | 152.35 | 9,119,800 | 152.35 |
| New Lisbon ² | 950 | 7,968,200 | 306.91 | 17,664,600 | 306.91 |
| Oshkosh | --- | <u>35,800</u> | <u>0.00</u> | <u>35,800</u> | <u>0.00</u> |
| Total | 2,090 | \$21,941,900 | 602.87 | \$36,701,900 | 602.87 |

¹ Total operating capacity of the facility is 450 beds. Highview would open in April, 2004.

² Total operating capacity of the facility is 750 beds. New Lisbon would open in April, 2004.

6. STURTEVANT PROBATION AND PAROLE HOLD FACILITY STAFFING [LFB Paper 238]

| | <u>Governor</u> <u>(Chg. to Base)</u> | | <u>Jt. Finance/Leg.</u> <u>(Chg. to Gov)</u> | | <u>Net Change</u> | |
|-----|--|------------------|---|------------------|-------------------|------------------|
| | <u>Funding</u> | <u>Positions</u> | <u>Funding</u> | <u>Positions</u> | <u>Funding</u> | <u>Positions</u> |
| GPR | \$6,445,200 | 62.35 | -\$193,800 | - 0.92 | \$6,251,400 | 61.43 |

Governor: Provide \$2,255,400 in 2003-04 and \$4,189,800 in 2004-05 and 62.35 positions annually to staff the Sturtevant Probation and Parole Hold Facility. The 150-bed regional hold facility is scheduled to open in May, 2004. The Sturtevant Probation and Parole Hold Facility will be attached to the Sturtevant Workhouse. The Executive Budget Book indicates that the facility will be used to provide alternative to revocation placements for offenders at risk of being sent to prison because they have violated the conditions of their probation, parole, or extended supervision.

Under the bill, the following 62.35 positions are provided: 14.0 correctional officers for the housing unit, 10.5 correctional officers for inmate intake, 10.5 correctional officers for inmate transportation, 9.5 correctional officers for other institutional security duties, 5.25 supervising officers, 1.75 positions for psychological services, 1.0 maintenance position, 1.5 food service positions, 1.0 records assistant, 1.0 program assistant for administration, and 6.35 positions for health services (0.25 physician, 1.0 nursing supervisor, 1.0 program assistant, 0.5 physician assistant, 2.5 nurse clinicians, 0.25 dentist, 0.25 dental assistant, 0.5 dental hygienist, and 0.1 psychiatrist). The health services unit would also provide medical and dental services to inmates in the Sturtevant Workhouse. Funding includes \$66,400 in 2003-04 and \$613,000 in 2004-05 for food and health costs, \$422,800 in 2003-04 for correctional officer training, \$402,500 in 2003-04 for institutional start-up costs, \$233,700 in 2003-04 for vehicle purchases, and \$8,300 in 2003-04 and \$50,000 in 2004-05 to purchase interpretive and religious services.

Joint Finance/Legislature: Delete \$56,800 in 2003-04 and \$137,000 in 2004-05 and 0.92 positions annually associated with: (a) turnover reduction adjustments; (b) adjustments associated with reduced correctional officer preservice training costs; (c) adjustments associated with staffing of correctional officer posts; and (d) reduces inmate-related costs.

7. INMATE WORKHOUSES STAFFING [LFB Paper 238]

| | <u>Governor</u> <u>(Chg. to Base)</u> | | <u>Jt. Finance/Leg.</u> <u>(Chg. to Gov)</u> | | <u>Net Change</u> | |
|-----|--|------------------|---|------------------|-------------------|------------------|
| | <u>Funding</u> | <u>Positions</u> | <u>Funding</u> | <u>Positions</u> | <u>Funding</u> | <u>Positions</u> |
| GPR | \$1,291,300 | 59.00 | -\$293,500 | - 0.32 | \$997,800 | 58.68 |

Governor: Provide \$1,762,300 in 2003-04 and -\$471,000 in 2004-05 and 59.0 positions annually to staff and operate two inmate workhouses (one at the Winnebago Correctional Center, \$814,500 in 2003-04 and -\$310,700 in 2004-05, and the other in the Sturtevant area,

\$947,800 in 2003-04 and -\$160,300 in 2004-05), with opening dates of December, 2003. Construction of the Winnebago facility was completed in January, 2003, and the Sturtevant facility will be completed in May, 2003. Costs of operating the facilities (\$4,688,700 in 2003-04 and \$5,085,600 in 2004-05) are offset by a reduction in contract bed funding (-\$2,926,400 in 2003-04 and -\$5,556,600 in 2004-05). Each facility is estimated to have an average daily population of 81 inmates in 2003-04 and 150 inmates in 2004-05.

Staffing for the Winnebago facility includes the following 28.5 positions: 13.75 correctional officers for housing unit security, 1.5 correctional officers for mailroom, property and transportation, 2.5 supervising officers, 2.5 correctional officers for work release coordination, 2.5 correctional officers for work crew supervision, 1.0 social worker, 1.0 maintenance position, 1.0 food service position, 2.0 program assistants for administration, 0.25 physician, 0.25 dentist, and 0.25 dental assistant. Staffing for the Sturtevant facility includes the following 30.5 positions: 1.0 correctional center superintendent, 2.0 program assistants for administration, 13.75 correctional officers for housing unit security, 1.5 correctional officers for mailroom, property and transportation, 2.5 supervising officers, 2.5 correctional officers for work release coordination, 2.5 correctional officers for work crew supervision, 1.0 social worker, 1.0 maintenance position, 1.0 food service position, 0.25 physician, 1.0 nurse clinician, 0.25 dentist, and 0.25 dental assistant. Staffing at the Sturtevant facility would also provide administrative and support services for the Sturtevant probation and parole hold facility, and would share a health services unit with the probation and parole hold facility. Funding includes \$751,600 GPR in 2003-04 and \$1,512,200 in 2004-05 for inmate food, health and inmate variable costs, \$386,800 in 2003-04 for correctional officer training, \$471,400 in 2003-04 for startup costs, \$468,800 in 2003-04 for vehicles, and \$144,200 in 2003-04 and \$247,200 in 2004-05 for purchase of services for inmates.

Joint Finance/Legislature: Delete \$95,800 in 2003-04 and \$197,700 in 2004-05 and 0.32 positions annually associated with: (a) turnover reduction adjustments; (b) adjustments associated with reduced correctional officer preservice training costs; (c) adjustments associated with staffing of correctional officer posts; and (d) reduces inmate-related costs.

8. REDGRANITE CORRECTIONAL INSTITUTION STAFFING [LFB Paper 239]

| | Governor (Chg. to Base) | | Jt. Finance/Leg. (Chg. to Gov) | | Net Change | |
|-----|------------------------------------|------------------|---|------------------|-------------------|------------------|
| | Funding | Positions | Funding | Positions | Funding | Positions |
| GPR | \$2,294,200 | 27.88 | -\$334,000 | - 4.38 | \$1,960,200 | 23.50 |

Governor: Provide \$1,184,300 and 27.88 positions in 2003-04 and \$1,109,900 and 27.88 positions in 2004-05 at Redgranite Correctional Institution. Staffing includes 25.88 correctional officers and 2.0 teachers. Redgranite is a medium-security facility that opened in January, 2001, with an operating capacity of 750 inmates. The additional positions are provided to support an institutional population of 990 inmates. As of March 7, 2003, Redgranite had 926 inmates.

Joint Finance/Legislature: Delete \$165,100 in 2003-04 and \$168,900 in 2004-05 and 4.38 positions annually associated with: (a) turnover reduction modifications; and (b) providing 21.5 correctional officer positions instead of 25.88 to maintain correctional officer staffing at current levels.

9. HEALTH SERVICE UNIT POSITIONS [LFB Paper 240]

| | Governor (Chg. to Base) | | Jt. Finance/Leg. (Chg. to Gov) | | Net Change | |
|-----|------------------------------------|------------------|---|------------------|-------------------|------------------|
| | Funding | Positions | Funding | Positions | Funding | Positions |
| GPR | \$3,687,900 | 23.50 | \$415,700 | 0.00 | \$4,103,600 | 23.50 |

Governor: Provide \$2,051,800 in 2003-04 and \$1,636,100 in 2004-05 and 23.5 positions annually in the health services units at the Redgranite and Prairie du Chien Correctional Institutions and at the Wisconsin Secure Program Facility (WSPF). In 2004-05, convert the project health service positions to permanent positions. [Under the bill, fringe benefits and turnover costs of \$415,700 were not accounted for in 2004-05 funding.] At the September 12, 2002, s. 13.10 meeting of the Joint Committee on Finance, 23.5 project positions were created for the period of January 1, 2003, to June 30, 2004, to assume staffing of the health services units from Prison Health Services, Inc. at Redgranite, WSPF, and Prairie du Chien.

Joint Finance/Legislature: Provide an additional \$415,700 in 2004-05 for fringe benefits and turnover costs in 2004-05 funding.

10. HIGHVIEW CORRECTIONAL INSTITUTION [LFB Paper 241]

| | Governor (Chg. to Base) | | Jt. Finance/Leg. (Chg. to Gov) | | Net Change | |
|-----|------------------------------------|------------------|---|------------------|-------------------|------------------|
| | Funding | Positions | Funding | Positions | Funding | Positions |
| GPR | \$632,400 | 0.00 | \$3,640,200 | 152.35 | \$4,272,600 | 152.35 |

Governor: Provide \$278,700 in 2003-04 and \$353,700 in 2004-05 for repair and maintenance (\$254,200 in 2003-04 and \$329,200 in 2004-05), risk management (\$1,400 annually), and capital costs (\$23,100 annually) at the Highview Correctional Institution, associated with its delayed opening. The facility is a 300-bed medium-security geriatric prison on the grounds of the Department of Health and Family Service's Northern Center for the Developmentally Disabled in Chippewa Falls. Base funding for Highview is \$725,800 and 10.63 positions. The administration's summary of the bill indicates that the opening date for Highview will be delayed until the 2005-07 biennium. Under 2001 Act 109, the facility was scheduled to open in January, 2004.

Joint Finance/Legislature: Provide \$4,159,200 in 2003-04 and -\$519,000 in 2004-05 and 152.35 positions annually to open the Highview Correctional Institution in April, 2004, with intensive AODA programming and an operating capacity of 450 inmates. Specify that the

facility operate as a minimum-security facility with 50 beds designated for alternative to revocation programming. Costs of operating the facility (\$6,127,200 in 2003-04 and \$9,119,800 in 2004-05) would be offset by a reduction in contract bed funding of -\$1,689,300 in 2003-04 and -\$9,285,100 in 2004-05.

Veto by Governor [C-2]: Delete provision designating 50 beds for alternatives to revocation programming. The Governor's veto message indicates that the Department will use an unspecified number of beds at Highview for alternative to revocation placements.

[Act 33 Section: 2490d]

[Act 33 Vetoed Section: 2490d]

11. NEW LISBON CORRECTIONAL INSTITUTION [LFB Paper 241]

| | Governor (Chg. to Base) | | Jt. Finance/Leg. (Chg. to Gov) | | Net Change | |
|-------|------------------------------------|------------------|---|------------------|-------------------|------------------|
| | Funding | Positions | Funding | Positions | Funding | Positions |
| GPR | \$529,200 | 0.00 | \$6,923,700 | 303.91 | \$7,452,900 | 303.91 |
| PR | 0 | 0.00 | 183,400 | 3.00 | 183,400 | 3.00 |
| TOTAL | \$529,200 | 0.00 | \$7,107,100 | 306.91 | \$7,636,300 | 306.91 |

Governor: Provide \$264,600 annually for repair and maintenance (\$176,500 annually), risk management (\$8,100 annually), and capital costs (\$80,000 annually) at the New Lisbon Correctional Institution, associated with its delayed opening. The facility is a 750-bed medium-security correctional institution in New Lisbon. Base funding for New Lisbon is \$1,622,800 GPR and 39.38 GPR positions and \$1,200 PR and 0.4 PR position. The administration's summary of the bill indicates that the opening date for New Lisbon will be delayed until the 2005-07 biennium. Under 2001 Act 109, the facility was scheduled to open in January, 2004.

Joint Finance/Legislature: Provide \$6,624,900 GPR and \$55,900 PR in 2003-04 and \$298,800 GPR and \$127,500 PR in 2004-05 and 303.91 GPR positions and 3.0 PR positions annually to open the New Lisbon Correctional Institution in April, 2004. Costs of operating the facility (\$7,912,300 GPR in 2003-04 and \$17,537,100 GPR in 2004-05) would be offset by a reduction in contract bed funding (-\$1,022,800 GPR in 2003-04 and -\$16,973,700 GPR in 2004-05). New Lisbon would have an average daily population of 57 inmates in 2003-04 and 916 inmates in 2004-05.

12. OSHKOSH CORRECTIONAL INSTITUTION SEGREGATION BUILDING DELAYED OPENING

| | |
|-----|----------|
| GPR | \$71,600 |
|-----|----------|

Governor/Legislature: Provide \$35,800 annually for fuel and utilities (\$17,700 annually), repair and maintenance (\$13,500 annually), risk management (\$600 annually), and capital costs (\$4,000 annually) at the Oshkosh Correctional Institution associated with the delayed opening of the 50-bed expansion of the segregation unit. Under 2001 Act 109, the opening date of the

unit was delayed until July, 2004. Construction of the segregation unit was substantially complete in October, 2002.

13. FULL FUNDING OF NON-SALARY COSTS OF CORRECTIONAL INSTITUTIONS [LFB Paper 242]

| | Governor (Chg. to Base) | Jt. Finance/Leg. (Chg. to Gov) | Net Change |
|-------|----------------------------|-----------------------------------|--------------|
| GPR | \$1,301,000 | - \$21,400 | \$1,279,600 |
| PR | <u>6,800</u> | <u>0</u> | <u>6,800</u> |
| TOTAL | \$1,307,800 | - \$21,400 | \$1,286,400 |

Governor: Provide \$650,500 GPR and \$3,400 PR in each year to annualize non-salary costs, including purchase of services for offenders, fuel and utility costs, supplies and services, and internal service charges associated with positions created for only a portion of a year under previous legislation. Annual funding would be for: (a) Stanley Correctional Institution, \$400,800 GPR and \$2,800 PR; (b) New Lisbon Correctional Institution, \$237,800 GPR and \$600 PR for costs associated with 31.78 FTE positions created under 2001 Act 16; and (c) Highview Correctional Institution, \$11,900 GPR for costs associated with 10.63 FTE positions created under 2001 Act 16.

Joint Finance/Legislature: Delete \$10,700 GPR annually to remove training supplies and services (a one-time funding item) associated with non-salary costs for the New Lisbon Correctional Institution.

14. MILWAUKEE WOMEN'S CENTER FUNDING

| | |
|-----|-----------|
| GPR | \$169,200 |
|-----|-----------|

Governor/Legislature: Provide \$98,900 in 2003-04 and \$70,300 in 2004-05 for costs associated with the opening of the new Milwaukee Women's Center. The Milwaukee Women's Center is a 100-bed minimum-security correctional center for adult female offenders in Milwaukee County and will replace the 42-bed Milwaukee Women's Correctional Center (MWCC). Funding would be divided as follows: (a) fuel and utilities, and repair and maintenance, \$49,500 in 2003-04 and \$54,600 in 2004-05; (b) permanent property, \$14,200 in 2003-04 and \$14,700 in 2004-05; (c) risk management charges, \$1,000 annually; (d) one-time start-up costs, \$11,200 in 2003-04; and (e) one-time vehicle purchases (a maintenance truck) \$23,000 in 2003-04. Under 2001 Act 16, \$5.1 million in general fund supported borrowing was provided for construction of the new Milwaukee Women's Center. The facility is scheduled to open in June, 2003.

15. FEMALE FELONY DRUG OFFENDER PROGRAM [LFB Paper 243]

| | Governor (Chg. to Base) | | Jt. Finance/Leg. (Chg. to Gov) | | Net Change | |
|-----|----------------------------|-----------|-----------------------------------|-----------|------------|-----------|
| | Funding | Positions | Funding | Positions | Funding | Positions |
| GPR | \$991,500 | 7.50 | - \$553,100 | - 3.50 | \$438,400 | 4.00 |

Governor: Provide \$446,100 in 2003-04 and \$545,400 in 2004-05 and 7.5 positions annually for a 50-bed felony drug offender alternative to prison program for female offenders at the Milwaukee Women's Center. Funding includes \$288,600 in 2003-04 and \$335,400 in 2004-05 for operating costs and, \$157,500 in 2003-04 and \$210,000 in 2004-05 for purchase of services for inmates. Under the bill the following positions are provided: 4.0 social workers, 0.5 psychologist, 1.0 program supervisor, 1.0 treatment specialist and 1.0 program assistant.

Under 2001 Act 16, purchase of services funding of \$140,000 in 2001-02 and \$210,000 in 2002-03 was provided for a drug offender alternative to prison program serving young male Milwaukee drug offenders. In addition, Act 16 specified that with the consent of Corrections, and when recommended in the presentence investigation, a court may order that a felony offender be confined in a facility located in Milwaukee for the purpose of allowing the offender to complete an alcohol and other drug abuse treatment program. Under the program, offenders enter as an alternative to prison as determined by the sentencing drug court judge. The program was designed by representatives of the Milwaukee County District Attorney's office, the State Public Defender's office, Milwaukee County circuit court judges and community organizations. The 12-month program includes intensive treatment during the first four- to six-month phase of incarceration. The intensive treatment phase is followed by up to two months at a correctional center where offenders are assisted to gain employment. A six-month period of enhanced supervision in the community, including aftercare services and close surveillance, is the final program phase. Upon successful completion, offenders are subsequently supervised by probation and parole agents until completion of their sentence.

Joint Finance/Legislature: Delete \$246,200 in 2003-04 and \$306,900 in 2004-05 and 3.5 positions annually for a 25-bed felony drug offender alternative to prison program for female offenders at the Milwaukee Women's Center. Deleted positions include 2.0 social workers, 0.5 treatment specialist, 0.5 program supervisor, and 0.5 program assistant.

16. POPULATION MANAGEMENT [LFB Paper 244]

| | Governor (Chg. to Base) | Jt. Finance/Leg. (Chg. to Gov) | Net Change |
|-----|----------------------------|-----------------------------------|----------------|
| GPR | - \$10,000,000 | - \$2,183,600 | - \$12,183,600 |

Governor: Reduce prison contract bed funding by \$10,000,000 in 2004-05. Based on current out-of-state contract rates, reduced funding would result in 540 fewer contract beds in 2004-05. According to the Executive Budget Book, the reduction would be achieved by: (a)

expanding the use of earned release programs; (b) increasing selected bed capacity at certain institutions; (c) administratively expanding alternatives to the revocation of probation, parole, or extended supervision; and (d) adjusting presentencing investigation reports to reflect the new truth-in-sentencing structure.

Modify statutory language associated with population management as follows:

Earned Release from Drug Abuse Correctional Center Program. Create an earned release program for eligible inmates who successfully complete the substance abuse treatment program at the Drug Abuse Correctional Center (DACC) in Winnebago. Specify that an inmate may be released to parole or extended supervision if the Department determines that the inmate has successfully completed the treatment program. Specify that all inmates are eligible for the DACC earned release program, except inmates who are incarcerated for crimes against life and bodily security (crimes under Chapter 940 of the statutes), or for sex crimes against a child. For inmates serving a bifurcated (truth-in-sentencing) sentence, specify that the sentencing court must decide at sentencing that the inmate is eligible to participate in the earned release program. Require that presentence investigation reports include a recommendation as to whether a defendant is eligible to participate in the program.

Specify that if an eligible inmate serving a sentence other than a bifurcated sentence successfully completes the DACC treatment program, the Parole Commission would be required to parole the inmate, regardless of the amount of time the inmate has served. Specify that the Parole Commission must require the parolee to participate in an intensive supervision program for drug abusers as a condition of parole.

If an eligible inmate serving a bifurcated sentence successfully completes the DACC treatment program, require the Department to notify the sentencing court. Require the sentencing court to: (a) reduce the prison portion of the bifurcated sentence so that the inmate will be released to extended supervision within 30 days of the date on which the court received notice; and (b) lengthen the term of extended supervision so that the total length of the bifurcated sentence does not change.

Specify that with Corrections' approval, an inmate serving a bifurcated sentence imposed before the effective date of the bill may petition the sentencing court to determine whether he or she is eligible or ineligible to participate in the DACC earned release program during the term of confinement. Specify that petitioning inmates must meet program eligibility criteria regarding the crimes committed. Require the inmate to serve a copy of the petition on the District Attorney who prosecuted him or her. Specify that the District Attorney may file a written response. Specify that the sentencing court must exercise its discretion in granting or denying the inmate's petition but must do so no later than 90 days after the inmate files the petition. If the court determines that the inmate is eligible to participate in the DACC earned release program, the court must inform the inmate of the process by which the sentence may be modified.

Specify that the Department may place intensive sanctions program participants in the treatment program, however, intensive sanctions participants are not eligible for earned release.

Specify that in sentencing offenders, the earned release program first applies to persons sentenced on the effective date of the bill.

Crimes under Chapter 940 for which inmates are ineligible for the earned release program include: (a) homicides; (b) felony murder; (c) mutilating or hiding a corpse; (d) assisting suicide; (e) abortion; (f) partial-birth abortion; (g) batteries; (h) mayhem; (i) sexual exploitation by therapist; (j) sexual assault; (k) reckless injury; (l) injury by negligent handling of dangerous weapon, explosives or fire; (m) injury by intoxicated use of a vehicle; (n) abuse of vulnerable adults or residents of penal facilities; (o) failure to render aid by a law enforcement officer; (p) abuse and neglect of patients and residents; (q) false imprisonment; (r) taking hostages; (s) kidnapping; (t) stalking; (u) duty to aid victim or report crime; and (v) intimidation or attempted intimidation of witnesses or victims. Sex crimes against a child for which inmates are ineligible for the earned release program include: (a) sexual assault of a child; (b) engaging in repeated acts of sexual assault of the same child; (c) physical abuse of a child; (d) sexual exploitation of a child; (e) causing a child to view or listen to sexual activity; (f) incest with a child; (g) child enticement; (h) use of a computer to facilitate a child sex crime; (i) soliciting a child for prostitution; and (j) sexual assault of a student by a school instructional staff person.

Increase Operating Capacity and Age Limit for Inmates at Racine Youthful Offender Correctional Facility. Allow Corrections to place up to 450 inmates at the Racine Youthful Offender Correctional Facility (RYOCF) and increase the maximum age limit at the facility to 24 years of age. Under current law, Corrections is authorized to place no more than 400 inmates at RYOCF and inmates must be at least 15 years of age, but not more than 21 years of age.

Joint Finance/Legislature: Modify the Governor's recommendation to provide inmate-related costs associated with the increase of prison capacity, and provide increased contract bed savings as follows: (a) increased prison bed capacity, -\$3,459,100 in 2003-04 (-\$4,567,200 associated with contract beds and \$1,108,100 for inmate-related costs) and -\$3,982,000 in 2004-05 (-\$5,260,200 associated with contract beds and \$1,278,200 for inmate-related costs); (b) alternatives to revocation, -\$4,406,400 in 2004-05; and (c) the Drug Abuse Correctional Center earned release program, -\$336,100 in 2004-05. The net change to the bill would be -\$2,183,600 GPR (-\$3,459,100 in 2003-04 and \$1,275,500 in 2004-05).

[Act 33 Sections: 2490, 2505, 2506, 2508, 2748 thru 2751, and 9310(2)]

17. BLACK RIVER CORRECTIONAL CENTER BOOT CAMP PROGRAM [LFB Paper 245]

| | <u>Governor</u> <u>(Chg. to Base)</u> | | <u>Jt. Finance/Leg.</u> <u>(Chg. to Gov)</u> | | <u>Net Change</u> | |
|-----|--|-----------|---|-----------|-------------------|-----------|
| | Funding | Positions | Funding | Positions | Funding | Positions |
| GPR | -\$375,100 | 17.50 | -\$77,700 | 0.00 | -\$452,800 | 17.50 |

Governor: Provide \$705,000 in 2003-04 and -\$1,080,100 in 2004-05 and 17.5 positions annually to create a challenge incarceration program ("boot camp") at the Black River Correctional Center in Black River Falls. Under the bill, increased costs for operating the facility (\$705,000 in 2003-04 and \$748,000 in 2004-05) are offset by a reduction in contract bed funding (-\$1,828,100 in 2004-05). Staffing under the bill includes: 12.0 correctional officers; 2.0 supervising officers, 1.0 social worker, 1.0 food service position, and 1.5 program assistants. Currently, Black River has an operating capacity of 94 beds with a total staff of 25.5 positions.

Modify statutory language to provide that an inmate, who volunteers to participate in the program, is eligible for the program if the inmate has not attained the age of 40 as of the date on which they begin the program. Specify that the program provide strenuous physical exercise for participants who have not attained the age of 30 as of the starting date, or age-appropriate strenuous physical exercise for all other participants. Specify that the modification would first apply to persons sentenced on the effective date of the bill.

Under current law, the program provides inmates with strenuous physical exercise, manual labor, personal development counseling, substance abuse treatment and education, military drill and ceremony, and counseling. Corrections may place any inmate in the program if the inmate has not attained the age of 30 as of the start of the program, and also meets the following criteria: (a) the inmate volunteers to participate in the program; (b) the inmate is not incarcerated for a crime specified in Chapter 940 (crimes against life and bodily security) or for child sex crimes; (c) if the inmate is serving a bifurcated sentence, the sentencing court decided at sentencing that the inmate is eligible for the challenge incarceration program; (d) Corrections determines, during assessment and evaluation, that the inmate has a substance abuse problem; and (e) Corrections determines that the inmate has no psychological, physical or medical limitations that would preclude participation in the program.

Joint Finance/Legislature: Delete \$72,300 in 2003-04 and \$5,400 in 2004-05 associated with: (a) turnover reduction adjustments; (b) adjustments associated with reduced correctional officer preservice training costs; and (c) reducing the number of months of funding for 2003-04 positions by one month.

[Act 33 Sections: 2502 thru 2504, and 9310(1)]

18. SENTENCING COMMISSION -- TRANSFER FROM THE DEPARTMENT OF ADMINISTRATION TO CORRECTIONS [LFB Paper 246]

| | Governor (Chg. to Base) | | Jt. Finance/Leg. (Chg. to Gov) | | Net Change | |
|-----|--|------------------|---|------------------|-------------------|------------------|
| | Funding | Positions | Funding | Positions | Funding | Positions |
| GPR | \$603,400 | 2.00 | -\$603,400 | - 2.00 | \$0 | 0.00 |

Governor: Transfer the Sentencing Commission from the Department of Administration to Corrections and provide \$301,700 and 2.0 classified positions annually. Funding would be

divided as follows: (a) salaries, \$164,800; (b) fringe benefits, \$59,600; and (c) supplies and services, \$77,300. Modify Corrections' general program operations appropriation to also include funding for the Sentencing Commission.

The Sentencing Commission was created in 2001 Act 109 and is currently attached to DOA, with a base budget of \$140,000 and 6.0 positions, including 1.0 unclassified director and 1.0 unclassified deputy director. Under the bill, full funding (\$300,500 annually) and increased supplies and services funding (\$60,000 annually) are provided for the Sentencing Commission in DOA prior to transfer to Corrections, increasing total funding to \$500,500 annually. Subsequently, under DOA, \$198,800 and 4.0 positions annually associated with the Sentencing Commission are removed as a DOA budget reduction, and \$301,700 and 2.0 positions are transferred to Corrections. Under the bill, the net change to the Sentencing Commission is \$161,700 and -4.0 positions annually.

Joint Finance/Legislature: Delete provision. [See "Administration -- Transfers from the Department to Other Agencies."]

19. COMMUNITY CORRECTIONS -- ADMINISTRATIVE AND MINIMUM SUPERVISION FEES

| Funding Positions | | |
|-------------------|---------------|---------|
| PR | - \$1,040,000 | - 11.00 |

Governor/Legislature: Reduce funding by \$520,000 and 11.0 positions annually associated with administrative and minimum supervision in the Division of Community Corrections. Delete the statutory provision that individuals on minimum and administrative supervision be charged a fee set "sufficient to cover the costs of supervision." Under current law, there is a separate provision for supervision fees collected from any probationer, parolee, or person on extended supervision who is placed on administrative and minimum supervision. For all other probationers, parolees, or persons on extended supervision, the Department sets varying rates based on ability to pay and with the goal of receiving at least \$1 per day, if appropriate, from each offender. (As a result of 2001 Act 109, the goal was administratively increased to at least \$2 per day.) Under the bill, supervision fees would no longer be based on the level of supervision. Rather, the Department of Corrections would set fees for all probationers, parolees, or persons on extended supervision based on their ability to pay, with the goal of receiving at least \$2 per day, if appropriate, from each offender.

[Act 33 Sections: 440, 1606, 2509 thru 2511, and 2768 thru 2770]

20. DELETION OF UNIT SUPERVISOR POSITIONS

Joint Finance/Legislature: Delete \$3,853,000 GPR and 57.0 GPR positions and \$1,648,000 PR and 25.0 PR positions annually associated with corrections unit supervisor and assistant unit supervisor positions.

| Funding Positions | | |
|-------------------|----------------|---------|
| GPR | - \$7,706,000 | - 57.00 |
| PR | - 3, 296,000 | - 25.00 |
| Total | - \$11,002,000 | - 82.00 |

Veto by Governor [Veto Message, Page xxii, Item #2]: In the veto message, the Governor indicates that the Department will be given the flexibility to substitute other positions for the correctional unit supervisors and assistant unit supervisors.

21. ELIMINATE PROGRAM ASSIGNMENT WAGES

| | |
|-----|---------------|
| GPR | - \$3,300,400 |
|-----|---------------|

Joint Finance/Legislature: Delete \$1,650,200 annually associated with wages for inmates who are in program assignments. Currently, inmates in educational and alcohol and other drug abuse programs are paid \$0.28 per hour for program participation.

22. PILOT PROGRAM FOR NON-VIOLENT OFFENDER COMMUNITY REINTEGRATION

Joint Finance/Legislature: Create a pilot program to support two 25-bed halfway houses that would allow non-violent offenders to spend the last six months of their prison term at those facilities under the supervision of the Department of Corrections, notwithstanding current sentencing laws.

Require the Department to accept requests for proposals for the establishment of two, 25-bed halfway houses for non-violent offenders, with one to be located in an urban area and one in a rural area. Specify that the Department may not accept a proposal unless its daily cost per inmate is less than or equal to the highest daily cost per inmate provided for out-of-state contract beds. Increase purchase of services funding by \$500,500 GPR in 2003-04 and decrease contract bed funding by \$500,500 GPR in 2004-05 associated with creating the halfway house program. Provisions of the program would sunset on June 30, 2008.

Specify that an inmate would be eligible for the halfway house program if, upon petition by the Department within three months immediately preceding placement in the program, the sentencing court authorized the placement. Specify that a court may not directly commit persons to the program. In addition, specify that the inmate must be a nonviolent offender to whom one of the following applies: (a) the inmate is serving no more than the last six months of the term of confinement of a bifurcated sentence; (b) the inmate was returned to prison for violating his or her extended supervision and there are no more than six months remaining of incarceration; (c) the inmate is serving an indeterminate sentence for a crime other than a serious felony and there are no more than six months remaining until mandatory release; (d) the inmate is serving an indeterminate sentence and the Parole Commission has authorized release on parole within the next six months; or (e) the inmate is serving no more than the last six months of an indeterminate sentence.

Specify that inmates confined in the halfway houses would be under the care and control of the halfway house, subject to its rules and discipline, and subject to all laws pertaining to inmates of other state prisons. Specify that officers and employees of a halfway house would be subject to all laws pertaining to other state prisons.

Require a study of the program to evaluate: (a) the program's success at providing community reintegration versus offenders who are not placed in the program; (b) the cost effectiveness of the program; (c) the administration of the program; and (d) public opinion of the program. Require that the study be completed and submitted to the Governor and Legislature by January 1, 2007.

Veto by Governor [C-3]: Delete provisions: (a) requiring that the location of the halfway houses be in a rural area and an urban area; (b) specifying that the Department may not accept a proposal unless the daily costs per inmate is less than or equal to the highest daily cost per inmate provided for out-of-state contract beds; and (c) requiring a study of the program.

[Act 33 Section: 439t, 439w, 1189g, 1189r, 2485g, 2485r, and 9410(1q)]

[Act 33 Vetoed Section: 2485g]

23. CONTRACTING WITH COUNTY SHERIFFS FOR THE PLACEMENT OF STATE INMATES IN CONTRACT BEDS

Joint Finance/Legislature: Require that if the Department Corrections has an existing contract with a private provider for the placement of inmates out-of-state, the Department must accept proposals from county sheriffs annually by July 1 to place state inmates in county jails. Require that annually, by October 1, the Department must evaluate the proposals and notify the counties whether or not state inmates may be placed in the county's jails beginning on the following January 1, based on criteria established by the Department. If the Department determines that inmates may be placed in a county's jail facility, require the Department to give the county priority over the out-of-state private provider. Specify that the daily cost for placing an inmate in a county jail be determined by the Department and county. Require, however, that the daily cost may be no higher than the highest rate provided in existing contracts with private contractors.

Veto by Governor [C-4]: Delete provision.

[Act 33 Vetoed Section: 2491g]

24. PENALTY ASSESSMENT FUNDING REDUCTION [LFB Paper 120]

| | |
|----|-------------|
| PR | - \$143,200 |
|----|-------------|

Joint Finance/Legislature: Reduce expenditure authority by \$133,000 in 2003-04 and \$10,200 in 2004-05, as follows: (a) -\$14,800 in 2003-04 and -\$1,100 in 2004-05 under the victim services and programs appropriation; and (b) -\$118,200 in 2003-04 and -\$9,100 in 2004-05 under the correctional officer training appropriation. The reductions reflect a decrease of 6.5% in 2003-04 and 0.5% in 2004-05 to appropriations supported by penalty assessment receipts in order to address a deficit in penalty assessment funding (see "Administration -- Office of Justice Assistance").

25. REIMBURSEMENT OF COSTS INCURRED BY MUNICIPALITIES

Senate/Legislature: Allow a city that was incorporated in 1889 and that is located in a county that was created in 1856 (City of New Lisbon), before April 30, 2004, to apply to the Department of Corrections for reimbursement of costs, including debt service, for extending utility service in connection with the construction of a prison, if the construction of the prison was authorized by the Building Commission in September, 1998. Specify that costs must have been incurred between May 1, 2002, and March 31, 2004. Specify that Corrections must pay the city at least \$215,000 of those costs no later than June 30, 2004, from the general program operations appropriation (s. 20.410(1)(a)).

Veto by Governor [C-1]: Delete provision.

[Act 33 Vetoed Section: 9110(1x)]

Juvenile Corrections

1. JUVENILE POPULATION ESTIMATES [LFB Papers 255 and 256]

Governor: Decrease the juvenile secured correctional facility average daily population (ADP) estimate from 961 in 2002-03 to 830 in 2003-04 and 829 in 2004-05, as shown in the following table. (Actual ADP at the facilities in 2002-03 was 799.) The population projections include juveniles funded under the serious juvenile offender (SJO) program. The SJO population projections by the Governor are summarized below under the "Serious Juvenile Offender Funding" entry. Under the bill, the population projections in the table are used in the calculation of daily rates for each type of care, excluding alternate care.

Average Daily Population Governor

| | <u>2002-03*</u> | <u>Projected ADP</u> | |
|---------------------------------|-----------------|----------------------|----------------|
| | | <u>2003-04</u> | <u>2004-05</u> |
| Secured Correctional Facilities | 961 | 830 | 829 |
| Other Placements | | | |
| Corrective Sanctions | 136 | 136 | 136 |
| Aftercare Services | <u>255</u> | <u>242</u> | <u>238</u> |
| Subtotal -- Other Placements | 391 | 378 | 374 |
| Total ADP | 1,352 | 1,208 | 1,203 |
| Alternate Care | 199 | 171 | 168 |

* Estimates under the 2001-03 biennial budget act.

The secured correctional facilities include Ethan Allen School, Lincoln Hills School, Southern Oaks Girls School, the SPRITE Program, the Mendota Juvenile Treatment Center, and the Prairie du Chien facility. (Under current law, the Prairie du Chien facility is designated a temporary prison for young adult males until July 1, 2003. Under the bill, this use as an adult prison would be made permanent after July 1, 2003.)

Under the corrective sanctions program, juveniles are placed in the community, following a period in a secured correctional facility, and are provided with intensive surveillance. In addition, for each corrective sanctions slot, an average of \$3,000 annually is provided to purchase community-based treatment services.

Aftercare services include juveniles under state supervision following release from a juvenile correctional facility. Placement may be in an alternate care setting, a relative's home or the juvenile's own home.

Alternate care includes residential care centers for children and youth (formerly termed child caring institutions), group homes, foster homes and treatment foster homes. The average daily population for alternate care is a subset of aftercare services.

Joint Finance/Legislature: Reestimate the average daily population (ADP) for secured correctional facilities at 800 juveniles annually in 2003-04 and 2004-05, and the total juvenile ADP at 1,178 in 2003-04 and 1,174 in 2004-05. Reestimate ADPs for alternate care at 161 juveniles in 2003-04 and 159 juveniles in 2004-05. The following table shows the changes to the estimates made by Joint Finance.

**Average Daily Population
Act 33**

| | Governor <u>2003-04</u> | Act 33 <u>2003-04</u> | Net <u>Change</u> | Governor <u>2004-05</u> | Act 33 <u>2004-05</u> | Net <u>Change</u> |
|---------------------------------|----------------------------|--------------------------|----------------------|----------------------------|--------------------------|----------------------|
| Secured Correctional Facilities | 830 | 800 | -30 | 829 | 800 | -29 |
| Other Placements | | | | | | |
| Corrective Sanctions | 136 | 136 | 0 | 136 | 136 | 0 |
| Aftercare Services | <u>242</u> | <u>242</u> | <u>0</u> | <u>238</u> | <u>238</u> | <u>0</u> |
| Subtotal -- Other | 378 | 378 | 0 | 374 | 374 | 0 |
| Total ADP | 1,208 | 1,178 | -30 | 1,203 | 1,174 | -29 |
| Alternate Care | 171 | 161 | -10 | 168 | 159 | -9 |

2. STATUTORY DAILY RATES [LFB Papers 225, 226, 255, 256, 258, 259, 260, and 261]

Governor: Under current law, daily rates for juvenile care in a given biennium are specified by fiscal year for secured correctional facilities, state aftercare supervision, and for each type of alternate care setting, including residential care centers for children and youth

(formerly termed child caring institutions), group homes, treatment foster homes and foster homes. While a single rate for each type of alternate care is set in statute, facilities providing each type of care vary in the daily rates that are charged. It is the Department's responsibility to manage these costs within the total alternate care budget calculated on the basis of a single, average rate and estimated juvenile populations (see the "Alternate Care" entry below).

Establish the following statutory daily rates for juvenile correctional services provided or purchased by the Department that would be charged to counties and paid through counties' youth aids allocations, or paid by the state through the serious juvenile offender appropriation.

**Statutory Daily Rates
Governor**

| | Current 7-1-02 thru 6-30-03 | Proposed | |
|----------------------------------|-----------------------------------|------------------------|------------------------|
| | | 7-1-03 thru 6-30-04 | 7-1-04 thru 6-30-05 |
| Secured Correctional Facilities* | \$172.51 | \$190.00 | \$194.00 |
| Residential Care Centers | 226.00 | 225.00 | 239.00 |
| Group Homes | 135.00 | 142.00 | 149.00 |
| Corrective Sanctions | 84.50 | 88.00 | 89.00 |
| Treatment Foster Homes | 85.00 | 88.00 | 92.00 |
| Regular Foster Homes | 43.00 | 47.00 | 49.00 |
| Aftercare Supervision | 22.66 | 25.00 | 26.00 |

*Including transfers from a secured correctional facility to the Mendota Juvenile Treatment Center.

Provide that the daily rates for state-provided services (secured correctional facilities, corrective sanctions, and aftercare supervision) be specified in statute rounded to the nearest dollar (as shown in the table above). These rates are calculated on the basis of budgeted funding levels, anticipated average daily populations, and the number of days in the year. Under current law, daily rates for alternate care settings (residential care centers, group homes, regular foster homes, and treatment foster homes) are rounded to the nearest dollar. Alternate care rates are determined by applying percentage adjustments to prior daily rates for each type of care (see the "Alternate Care" entry below).

Joint Finance/Legislature: Include the Governor's recommendation that the daily rates for state-provided services be specified in statute, rounded to the nearest dollar, but revise the daily rates for juvenile correctional services provided or purchased by the Department, as shown in the following table.

The table reflects changes to the daily rates for secured correctional facilities based on revised population estimates and certain budget corrections that affected the cost basis for calculating these rates (Papers 226 and 255), modifications of standard budget adjustments (Paper 225), population-related position reductions (Paper 258), an adjustment to address a program revenue deficit in the juvenile correctional services appropriation (Paper 259), adjustments for the Mendota Juvenile Treatment Center (Paper 260), population-related cost

adjustments (Paper 261), the deletion of funding for the fifth week of vacation as cash, and the elimination of unit supervisors. Incorporate budget corrections that affect the cost basis for calculating the rates for corrective sanctions. The rates for residential care centers, group homes, treatment foster care, regular foster care and aftercare supervision are identical to the rates originally proposed by the Governor.

**Statutory Daily Rates
Act 33**

| <u>Type of Care</u> | <u>Governor 2003-04</u> | <u>Act 33 2003-04</u> | <u>Net Change</u> | <u>Governor 2004-05</u> | <u>Act 33 2004-05</u> | <u>Net Change</u> |
|----------------------------------|-----------------------------|---------------------------|-----------------------|-----------------------------|---------------------------|-----------------------|
| Secured Correctional Facilities* | \$190.00 | \$183.00 | -\$7.00 | \$194.00 | \$187.00 | -\$7.00 |
| Residential Care Centers | 225.00 | 225.00 | 0.00 | 239.00 | 239.00 | 0.00 |
| Group Homes | 142.00 | 142.00 | 0.00 | 149.00 | 149.00 | 0.00 |
| Corrective Sanctions | 88.00 | 86.00 | -2.00 | 89.00 | 87.00 | -2.00 |
| Treatment Foster Homes | 88.00 | 88.00 | 0.00 | 92.00 | 92.00 | 0.00 |
| Regular Foster Homes | 47.00 | 47.00 | 0.00 | 49.00 | 49.00 | 0.00 |
| Aftercare Supervision | 25.00 | 25.00 | 0.00 | 26.00 | 26.00 | 0.00 |

*Includes transfers from a secured correctional facility to the Mendota Juvenile Treatment Center.

[Act 33 Sections: 2492d and 2493d]

3. ALTERNATE CARE [LFB Paper 256]

| | Governor (Chg. to Base) | Jt. Finance/Leg. (Chg. to Gov) | Net Change |
|----|------------------------------------|---|-------------------|
| PR | -\$4,071,200 | -\$1,260,700 | -\$5,331,900 |

Governor: Reduce base funding by \$2,274,500 in 2003-04 and \$1,796,700 in 2004-05 for juvenile residential aftercare (alternate care), to reflect decreasing population estimates. The residential aftercare appropriation funds the costs of care for juveniles placed in residential care centers for children and youth (formerly termed child caring institutions), foster care homes, treatment foster care homes, group homes and certain other living arrangements. Base funding for the residential aftercare appropriation is \$14,309,000, based on an estimated average daily population (ADP) of 199 juveniles in 2002-03. The ADP for alternate care totaled 176 in 2001-02 and 160 in 2002-03. Under the bill, the alternate care ADP is projected at 171 in 2003-04 and 168 in 2004-05.

Under the bill, alternate care rates are estimated by taking the actual average rates paid for each type of care for the first six months of 2002, and applying annual percentage rates of increase (6% for residential care centers for children and youth and 5% for the other types of alternate care) to estimate the 2002-03, 2003-04, and 2004-05 average rates. The estimated 2003-

04 and 2004-05 average rates and projected ADP are then used to calculate the required budget for alternate care.

In addition to the alternate care types specified in statute, the Department also utilizes other settings for certain placements. These settings are typically monitored living situations (dorm-style settings or small apartments) for individuals who are 18 to 21 years of age and still subject to a juvenile disposition, but who are too old to be placed in a juvenile facility. An average cost for these alternative types of living arrangements is also estimated by the Department in order to budget for the residential aftercare appropriation. (Under the Governor's recommendation, an ADP of approximately 4.0 juveniles would be served annually in these settings at an average daily cost of \$72 in 2003-04 and \$80 in 2004-05.)

The following table shows the statutory alternate care rates for 2002-03 and the average rates projected under the bill for 2003-04 and 2004-05.

| | Statutory Rates 1-1-02 thru 6-30-03 | Governor | |
|--------------------------|---|------------------------|------------------------|
| | | 7-1-03 thru 6-30-04 | 7-1-04 thru 6-30-05 |
| Residential Care Centers | \$226.00 | \$225.00 | \$239.00 |
| Group Homes | 135.00 | 142.00 | 149.00 |
| Treatment Foster Homes | 85.00 | 88.00 | 92.00 |
| Regular Foster Homes | 43.00 | 47.00 | 49.00 |

Joint Finance/Legislature: Delete \$619,900 in 2003-04 and \$640,800 in 2004-05 to reflect reestimated ADPs for alternate care of 161 juveniles in 2003-04 and 159 juveniles in 2004-05. Include the Governor's recommended daily rates for alternate care settings, as specified in the table above.

[Act 33 Sections: 2492d and 2493d]

4. DELETE REQUIREMENT TO OPERATE A JUVENILE BOOT CAMP PROGRAM

| Funding Positions | | |
|-------------------|---------------|---------|
| PR | - \$5,230,400 | - 46.00 |

Governor/Legislature: Reduce funding by \$2,615,200 and 46.0 positions annually for the operation of a juvenile boot camp program. Eliminate the statutory requirement to operate a juvenile boot camp program.

Under current law, Corrections is required provide a boot camp program for juveniles who have been placed under its supervision in secured correctional facilities. The program was designed to provide military academy-style training over 18 weeks with components on military drill and ceremonies, education, vocational training, treatment, adventure activities and community services. The boot camp was located at Camp Douglas in Juneau County until its closure in March, 2002. The Department indicates that the facility was closed due to

declining populations at secured correctional facilities, declining program enrollment, and the high cost of operating the program. Following the closure of the Camp Douglas facility, a scaled-down version of the boot camp program has been continued on the grounds of the Lincoln Hills School.

[Act 33 Sections: 2484, 2727, 2729, and 2732]

5. POPULATION-RELATED POSITION REDUCTIONS AT SECURED CORRECTIONAL FACILITIES [LFB Paper 258]

| | <u>Governor</u> <u>(Chg. to Base)</u> | | <u>Jt. Finance/Leg.</u> <u>(Chg. to Gov)</u> | | <u>Net Change</u> | |
|----|--|------------------|---|------------------|-------------------|------------------|
| | <u>Funding</u> | <u>Positions</u> | <u>Funding</u> | <u>Positions</u> | <u>Funding</u> | <u>Positions</u> |
| PR | -\$3,882,400 | - 46.04 | -\$3,300,000 | 0.00 | -\$7,182,400 | - 46.04 |

Governor: Reduce funding by \$1,941,200 and 46.04 positions annually to reflect a projected decrease in juvenile populations for the state's secured correctional facilities. The position reductions would include: (a) 2.34 positions budgeted in the Division of Juvenile Corrections central office; (b) 21.05 positions at the Ethan Allen School; (c) 12.95 positions at the Lincoln Hills School; and (d) 9.70 positions at the Southern Oaks Girls School. The positions have been identified by the Department as long-term vacancies, which have remained unfilled for periods ranging from July 1, 1998, to March 9, 2002.

Joint Finance/Legislature: Delete \$1,650,000 annually in expenditure authority relating to currently vacant positions. [The reductions and associated decreases in compensation reserves (\$93,600 in 2003-04 and \$117,000 in 2004-05) would remove \$1,743,600 in 2003-04 and \$1,767,000 in 2004-05 from the cost basis used for calculating daily rates of care for juveniles placed in secured correctional facilities.]

6. MENDOTA JUVENILE TREATMENT CENTER [LFB Paper 260]

| | <u>Governor</u> <u>(Chg. to Base)</u> | <u>Jt. Finance/Leg.</u> <u>(Chg. to Gov)</u> | <u>Net Change</u> |
|----|--|---|-------------------|
| | <u>Funding</u> | <u>Funding</u> | <u>Funding</u> |
| PR | -\$1,952,500 | \$300,400 | -\$1,652,100 |

Governor: Reduce funding by \$1,007,000 in 2003-04 and \$945,500 in 2004-05 for cost adjustments associated with the care and treatment of juveniles placed at the Mendota Juvenile Treatment Center (MJTC). The MJTC facility, operated by the Department of Health and Family Services (DHFS), provides evaluations for and mental health treatment of male juvenile offenders under state custody. Adjusted base funding for this purpose is \$4,326,500 annually (\$1,379,300 GPR and \$2,947,200 PR).

Under current law, DHFS may charge DOC not more than the actual cost of providing those services. The current agreement between Corrections and DHFS specifies payments to DHFS for the facility of \$3,330,700 in 2001-02 (\$1,379,300 GPR and \$1,951,400 PR) and \$3,073,600 in 2002-03 (\$1,379,300 GPR and \$1,694,300 PR). Under the bill, these funding levels would be estimated at \$3,319,500 in 2003-04 (\$1,379,300 GPR and \$1,940,200 PR) and \$3,381,000 in 2004-05 (\$1,379,300 GPR and \$2,001,700 PR), based on a projected average daily population (ADP) at MJTC of 29 juveniles. The facility had an ADP of 33 juveniles in 2001-02 and 29 juveniles in 2002-03.

Joint Finance/Legislature: Provide \$146,500 in 2003-04 and \$153,900 in 2004-05 to increase the payments made to DHFS for the MJTC facility. Adjust the statutory funding levels to reflect total payments of \$3,466,000 in 2003-04 (\$1,379,300 GPR and \$2,086,700 PR) and \$3,534,900 in 2004-05 (\$1,379,300 GPR and \$2,155,600 PR).

[Act 33 Section: 1098d]

7. **SERIOUS JUVENILE OFFENDER FUNDING** [LFB Paper 257]

| | Governor (Chg. to Base) | Jt. Finance/Leg. (Chg. to Gov) | Net Change |
|-----|------------------------------------|---|-------------------|
| GPR | - \$1,341,100 | - \$1,659,800 | - \$3,000,900 |

Governor: Reduce funding by \$318,000 in 2003-04 and \$1,023,100 in 2004-05 to reflect decreased population estimates and cost changes associated with state-funded serious juvenile offenders (SJO). [These reductions are not based on the correct daily rates for institutional care and aftercare services provided in the bill. The amount of the reductions will require a technical correction.]

The SJO appropriation reimburses juvenile correctional institutions, secured child caring institutions, alternate care providers, aftercare supervision providers and corrective sanctions supervision providers for costs incurred, beginning on July 1, 1996, for: (a) the care of any juvenile 14 years of age or over who has been adjudicated delinquent for an act that is equivalent to a Class A or B felony or a juvenile 10 years of age or older who has attempted or committed first-degree intentional homicide or has committed first-degree reckless or second-degree intentional homicide, and who has a disposition as a serious juvenile offender; (b) juveniles less than 16 years of age under the jurisdiction of the adult court and sentenced to state prison, but placed by Corrections at a secured juvenile correctional facility or a secured child caring institution; (c) correctional services for juveniles adjudicated as violent juvenile offenders for certain offenses committed prior to July 1, 1996 (all violent juvenile offenders are now out of the juvenile correctional system); and (d) juveniles under extended jurisdiction orders prior to July 1, 1996, who receive juvenile correctional services.

A SJO disposition, under (a) above, may only be made if the judge finds that the only other disposition that would be appropriate is placement in a secured correctional facility. For a

juvenile receiving a SJO disposition, the court is required to make the order apply for a period of five years (with a three-year maximum placement in a secured correctional facility or secured child caring institution), if the adjudicated act was a Class B felony offense, or until the juvenile reaches 25 years of age, if the adjudicated act was a Class A felony offense.

The adjusted base funding for the SJO appropriation is \$17,034,300 annually. Under the bill, the following average daily populations (ADPs) for the SJO appropriation, including SJO juveniles and extended jurisdiction juveniles, are projected for the 2003-05 biennium:

**Average Daily Population
Governor**

| <u>Type of Care</u> | <u>Serious Juvenile Offenders</u> | | <u>Extended Jurisdiction Juveniles</u> | |
|---------------------------------|-----------------------------------|----------------|--|----------------|
| | <u>2003-04</u> | <u>2004-05</u> | <u>2003-04</u> | <u>2004-05</u> |
| Secured Correctional Facilities | 144 | 147 | 5 | 4 |
| Corrective Sanctions Program | 71 | 57 | 1 | 0.5 |
| Aftercare Supervision | <u>70</u> | <u>57</u> | <u>1</u> | <u>0.5</u> |
| Total ADP | 285 | 261 | 7 | 5 |
| Alternate Care* | 53 | 43 | 0 | 0 |

*A subset of aftercare supervision that includes residential care centers and group homes.

Joint Finance/Legislature: Delete \$949,400 in 2003-04 and \$710,400 in 2004-05 to reflect a reestimate of the serious juvenile offender appropriation. The reduction results from revised daily rates for care reflecting all Joint Finance actions and reestimated SJO populations and placement assumptions. The ADPs for the SJO appropriation, including both SJO juveniles and extended jurisdiction juveniles, are reestimated for the 2003-05 biennium, as follows:

**Average Daily Population
Act 33**

| <u>Type of Care</u> | <u>Serious Juvenile Offenders</u> | | <u>Extended Jurisdiction Juveniles</u> | |
|---------------------------------|-----------------------------------|----------------|--|----------------|
| | <u>2003-04</u> | <u>2004-05</u> | <u>2003-04</u> | <u>2004-05</u> |
| Secured Correctional Facilities | 141 | 147 | 2 | 1 |
| Corrective Sanctions Program | 66 | 54 | 3 | 2 |
| Aftercare Supervision | <u>94</u> | <u>76</u> | <u>2</u> | <u>1</u> |
| Total ADP | 301 | 277 | 7 | 4 |
| Alternate Care* | 46 | 37 | 0 | 0 |

*A subset of aftercare supervision that includes residential care centers, group homes, treatment foster homes, and monitored living situations.

8. POPULATION-RELATED COST ADJUSTMENTS [LFB Paper 261]

| | Governor (Chg. to Base) | Jt. Finance/Leg. (Chg. to Gov) | Net Change |
|----|----------------------------|-----------------------------------|------------|
| PR | -\$264,600 | -\$342,200 | -\$606,800 |

Governor: Delete \$266,900 in 2003-04 and provide \$2,300 in 2004-05 to reflect population-related cost adjustments as follows: (a) -\$259,900 in 2003-04 and -\$223,200 in 2004-05 for food costs at juvenile correctional institutions; (b) -\$58,700 in 2003-04 and -\$59,800 in 2004-05 for variable non-food costs (such as laundry, clothing and personal items) for institutionalized juveniles; and (c) \$51,700 in 2003-04 and \$285,300 in 2004-05 to reflect juvenile health care cost adjustments.

Joint Finance/Legislature: Delete \$107,500 in 2003-04 and \$234,700 in 2004-05 to reflect population-related cost adjustments, as follows: (a) -\$39,500 annually for food costs at secured juvenile correctional facilities; (b) -\$33,100 in 2003-04 and -\$32,000 in 2004-05 for variable non-food costs; and (c) -\$34,900 in 2003-04 and -\$163,200 in 2004-05 for juvenile health care costs.

9. CALENDAR YEAR ALLOCATION OF YOUTH AIDS FUNDING [LFB Paper 262]

Governor: Modify statutory provisions relating to the calendar year allocation of community youth and family aids (youth aids) funding in the 2003-05 biennium. Continue to allocate additional funding provided under 1999 Wisconsin Act 9 according to a three-factor formula. Continue to allocate additional funding provided under 2001 Wisconsin Act 16 according to the same three-factor formula, but with an additional override factor.

Under current law, the calendar year allocations relate to the 2001-03 biennium. Statutory allocations are specified to reflect calendar year allocations in the following areas: (a) total GPR and PR youth aids funding appropriated in the biennium for distribution to counties; (b) the youth aids increases provided under 1999 Wisconsin Act 9, which are required to be distributed to counties according to a three-factor formula; (c) the youth aids increases provided under 2001 Wisconsin Act 16, which are required to be distributed to counties according to the three-factor formula and an additional override factor; (d) youth aids funding earmarked for emergency funding for small counties; (e) youth aids funding earmarked for counties participating in the corrective sanctions program; and (f) youth aids funding earmarked for alcohol and other drug abuse treatment programs.

Amend these statutory sections to reflect the calendar years in the 2003-05 biennium. However, the amounts specified for allocation to counties relating to the additional funding provided under 2001 Wisconsin Act 16 for the last six months of 2003 and calendar year 2004, require correction. The adjusted base funding for youth aids is \$88,290,200 annually (\$85,841,000 GPR and \$2,449,200 PR). Under the bill, no change to base funding for youth aids is provided.

Joint Finance/Legislature: Correct the statutory allocation of additional funding provided under 2001 Wisconsin Act 16 to allocate \$1,053,200 for the last six months of 2003 and \$2,106,500 for calendar year 2004. There is no associated fiscal effect since the corrected allocation amounts reflect current base level funding.

[Act 33 Sections: 2494 thru 2500]

10. JUVENILE CORRECTIONAL SERVICES PROGRAM REVENUE DEFICIT [LFB Paper 259]

Joint Finance/Legislature: Provide that \$2,876,300 of available program revenue balances in 2003-04 be transferred to the Department's juvenile correctional services appropriation account, as follows: (a) \$439,200 from the balances in the juvenile residential aftercare appropriation account; and (b) \$2,437,100 from the balances in the juvenile corrective sanctions program appropriation account.

Require that, on or before March 15 of each odd-numbered year, Corrections estimate the unexpended revenues, less encumbrances, that will remain in the juvenile correctional services appropriation account [s. 20.410(3)(hm)] on June 30 of that year and provide this estimate to DOA and to the Joint Committee on Finance. Provide that if the Committee determines that the estimated balance will be negative, the amount of the estimated deficit would be included in the cost basis used for the calculation of the secured correctional facilities daily rates for the subsequent biennium. Require that 50% of the deficit amount be added to the cost basis for the calculation of daily rates for the first year of the subsequent biennium and 50% of the deficit amount be added to the cost basis for the calculation of daily rates for the second year of the subsequent biennium. Require that the share of the daily rate revenue that is proportionate to the share of the increased cost basis associated with the estimated deficit be reserved for the purpose of retiring the deficit. Provide that any revenue reserved for this purpose that exceeds the amount of the deficit on June 30, of the odd-numbered year of the subsequent biennium, be reimbursed to the counties and the state, on before September 30, of that calendar year, in a manner proportionate to the total number of days of juvenile placements at the facilities for each county and the state.

Specify that \$569,300 be added to the cost basis for the calculation of daily rates in the 2003-05 biennium under the procedure specified above.

Require Corrections to submit quarterly reports to the Joint Committee on Finance, on or before September 15, December 15, March 15, and June 15, of each year, detailing year-to-date revenues and expenditures under its s. 20.410(3)(hm) appropriation account, and to project, in each report, the unexpended revenues, less encumbrances, that will remain in the appropriation account on June 30 of that year. If the estimated unexpended revenue amount is projected to be negative, require the Department to report on what efforts it is making to reduce operating costs in order to minimize any potential deficit.

Veto by Governor [C-5]: Delete the provisions except for the requirement that \$439,200 from the balances in the juvenile residential aftercare appropriation and \$2,437,100 from the balances in the juvenile corrective sanctions program appropriation be transferred in 2003-04 to the Department's juvenile correctional services appropriation. While the veto eliminates the provision that \$569,300 be added to the cost basis for the calculation of daily rates in the 2003-05 biennium to address the estimated 2002-03 deficit balance in the appropriation, Act 33 includes statutory daily rates that are calculated for each year on a cost basis that includes this amount (\$284,700 in 2003-04 and \$284,600 in 2004-05). The veto does not affect the statutory daily rates and, as a result, counties and the state's serious juvenile offender appropriation will pay the additional \$569,300 over the 2003-05 biennium. Under the veto there is no requirement that these payments be reserved for the purpose of retiring the 2002-03 deficit.

[Act 33 Section: 9210(2d)]

[Act 33 Vetoed Sections: 441d, 2493m, 9130(2f), and 9430(2f)]

11. TRANSFER OF FOSTER CARE REIMBURSEMENTS TO THE GENERAL FUND

| | |
|---------|-----------|
| GPR-REV | \$456,000 |
|---------|-----------|

Senate/Legislature: Direct Corrections to transfer \$456,000 PR to the general fund on the later of July 1, 2003, or the general effective date of the biennial budget act. This funding was received in 2001-02 as federal reimbursements under the foster care program for allowable administrative costs relating to juveniles determined to be eligible for the program. The funding was credited to a Corrections PR appropriation account for interagency and intra-agency programs. A subsequent Legislative Audit Bureau review determined that the reimbursements should instead be credited to the general fund.

[Act 33 Section: 9210(3f)]